





# Flabby and feckless, and that's just the hamster

BEHAVIOURAL psychologists studying animals' conception of the world have argued that only humans are aware of what they are. The consciousness which dawns in the human infant that he or she is one example of a class of similar beings, never dawns (for example) in hamsters. Hamsters lack the conceptual apparatus to make sense of mirrors.

So, far from knowing that it is an exceptionally fat hamster, a hamster does not even acknowledge hamsterhood — let alone obesity — as a condition. Having failed to clear the "hamster, know thyself" hurdle, it cannot grasp the "hamster, improve thyself" imperative. This is one of the reasons for stunted moral growth in hamsters.



**MATTHEW PARRIS**  
POLITICAL SKETCH

Watching Questions to the Heritage Secretary yesterday, I realised that MPs may be more like hamsters than they are like human beings. Let me explain...

Mr John Marshall (C, Hendon S) had put down a question about the importance of competitive sport. Fair enough. No athlete himself, the portly Marshall is still entitled to an opinion on how we might all be improved. You would expect him, though, to cover his own back. A self-deprecatory acknowledgement of his own failings would have done the

trick. Imagine our hilarity, then, when Mr Marshall rose and, quivering with what we shall call indignation, barked at ministerial spokesman: "Have you read the editorial in today's *Daily Telegraph* which says we are raising a generation of overweight kids because of their diet?" Sproat shared his dismay.

Sitting right behind Marshall (the backdrop in any TV frame) was Robert Key, once a minister with responsibility for sport. Mr Key, a capable, jolly man, must weigh all of 17 stone. His large, pink face was illuminated by a genial

grin. Answering Marshall, Mr Sproat probably weighs in as the lightest of the trio: no more than a couple of stone overweight.

Get the picture? One plump Tory MP in the foreground, one massive Tory MP in the background, addressing one chubby Tory MP at the dispatch box, on what a disgrace it is that children are fat. There were shouts of "look behind you!"

But my purpose is not to mock, still less to allege hypocrisy. The hypocrite fears scrutiny but these men seemed oblivious to the fact that anything jarred. They stood there in all their fatness, condemning the fat. Such behaviour invites only one explanation: MPs, like hamsters, are intellectually unable



John Marshall, left: quivered with indignation



with no sense of shame, having recourse only to pure reason. As a theory, it would explain Back to Basics. Those who find the scene unbelievable will hardly credit what happened next.

Another chubby former Sports Minister, Richard Tracey, rose to comment to all citizens the qualities of "discipline, commitment, courage, winning modestly and losing gracefully".

From backbench Tories all around him — men and women who as a body today exemplify to an almost unparalleled degree a want of discipline, a failure of commitment, a lack of courage, an immodesty in victory, and a gracelessness in defeat — came a merry and unabashed "hear, hear".

## Whitehall considers computer porn laws

Moves to tighten obscenity laws are being considered by the Government in response to reports of widespread computer pornography (James Landale writes).

A committee of senior civil servants from across Whitehall, who met for the first time yesterday, will look specifically at child pornography, which makes up the bulk of cases discovered on computer discs.

The initiative was disclosed in a letter from Downing Street to Mary Whitehouse, the veteran anti-pornography campaigner, who met John Major last year to push for tougher obscenity controls. The Prime Minister had asked the Home Secretary to co-ordinate a government-wide review of what might be done. The Home Office has since reported back with a number of suggestions.

## Ambulance crews reject pay rise

Ambulance workers joined nurses, midwives and other NHS staff in rejecting a 1 per cent national pay award. Leaders of the 25,000 ambulance workers gave their decision at a meeting with the Health Department. More than 800,000 NHS staff are due to stage demonstrations on Thursday in support of their claim for improved pay rises. The Government says the national award can be topped up by local agreements to 3 per cent.

The Royal College of Nursing is expected to end its 80-year-old no-strike policy next month, allowing limited industrial action that does not harm patients.

## Maxwells date

The frequently delayed trial of Kevin and Ian Maxwell, sons of the late Robert Maxwell, is to start on May 31, the Lord Chancellor's Department said yesterday. Kevin Maxwell faces ten charges of alleged conspiracy to defraud involving a total of £300 million. Ian Maxwell faces three charges involving £71 million.

## Noise controls

Holding rowdy parties at night could become a criminal offence if recommendations put forward in a government consultation paper yesterday are accepted. The paper also recommends that local authorities should be given powers to confiscate "noise-making" equipment and levy a charge for its return.

## Death-row Briton

The Government refused yesterday to intervene in the case of Nicholas Ingram, a Briton expected to go to the electric chair in the American state of Georgia next week. Douglas Hogg, Foreign Office minister, said it would not be appropriate "to intervene at this stage". Ingram was convicted of murder in 1983.

## Prison curb

Prison governors are to be given extra powers to punish inmates under a government drive to curb rising indiscipline. Michael Howard, the Home Secretary, will announce tomorrow that prisoners will have up to 42 days added to their existing jail term if they commit disciplinary offences. The present limit is 28 days.

## Memorial coin

A £2 coin to mark the fiftieth anniversary of the end of the Second World War was launched yesterday by Kenneth Clarke, the Chancellor, who gave a strong hint that he would favour its general introduction. The coin is legal tender but will probably be collected as a souvenir. Around the edge is inscribed: "1945 in peace goodwill 1995".

## Clarke pressures Cabinet on sale of Nuclear Electric

By Philip Webster, Political Editor

KENNETH CLARKE is pressing John Major and Michael Heseltine to approve the sale of most of Britain's nuclear industry in a move that would give fresh impetus to the Government's privatisation programme.

The Prime Minister is expected to have to referee a dispute between the Treasury, which is now keen on the £2 billion sale, and the Cabinet's so-called "consolidators" and key elements in Mr Heseltine's Trade and Industry Department who believe that the Government would be rash to act in the run-up to a general election.

Mr Heseltine, who was thwarted in his attempt to sell the Royal Mail, is reported to be cautious about the idea of selling the country's most modern atomic energy plants. However, according to informed sources, the stronger objections are being raised by Tim Eggart, the Energy Minister. Mr Heseltine, according to sources pushing the sale, is thought to be "persuadable".

The Chancellor, who also backed the Royal Mail sale, is

clearly attracted by the idea of putting Nuclear Electric at the top of the sell-off queue and raising funds that might be translated into tax cuts in time for the election.

The sale would not require legislation. Nuclear Electric was set up five years ago when the Government exempted the nuclear industry from its electricity privatisation programme at the last minute after it became clear that City investors were not prepared to cover the huge costs of decommissioning the older Magnox plants as they became obsolete.

The Treasury now appears happy with an arrangement under which the six remaining Magnox stations would be kept in state hands. The five advanced gas-cooled reactors and Sizewell B, a pressurised water reactor, would be sold and the eventual costs of decommissioning borne by the private sector.

Ian Lang, the Scottish Secretary, Michael Portillo, the Employment Secretary, John Redwood, the Welsh Secretary, and John Gummer, the

Environment Secretary, are understood to be backing the sell-off.

But they will have to convince Richard Ryder, the Chief Whip, Tony Newton, the Leader of the Commons, and other senior ministers that the move should be undertaken before an election. Although legislation is not required, ministers admit that the plan would have to be approved in a parliamentary debate that, in the present febrile state of the Conservative Party, could become yet another focus for backbench dissent.

The Government is expected to make a decision over the next few weeks and a report to Mr Major from the Trade and Industry Department is imminent. Ministers are saying that such a sale would answer the jibes that the Government's forthcoming programme lacks a radical edge.

Morgan Stanley, the merchant bankers advising Nuclear Electric, have concluded in a report sent to Mr Heseltine that private investors would be prepared to run the risks of taking it over.



Boys at Manchester grammar win their places on their ability, not the size of their parents' wallets

## School shuns 'exclusive' tag

Continued from page 1  
ly concerned about Labour's commitment to abolish the assisted places scheme.

Manchester has been fully independent since the Labour Government abolished the direct grant scheme in 1976. Under that scheme, selective schools were required to offer at least a quarter of their places to children from assisted places, and when it was abolished Manchester approached the local education authority in the hope of maintaining a relationship with the state system. But Peter Mason, the High Master of the time, was rebuffed.

Eventually, Manchester, with 118 other grammars, chose to become fully independent rather than run the risk of being forced to become comprehensive under

local authority control. It placed a surcharge on fees to extend the range of bursaries, however, and has long boasted that no boy is turned away for financial reasons.

Dick Davison, deputy director of the Independent Schools Information Service, said that many independent schools currently benefiting from assisted places were interested in a return to direct grant status. "There is a nostalgic hankering for the direct grant system because it gave schools a much closer link to the maintained sector," he said.

Dr Stephen was one of the leading supporters of a voucher plan to allow parents to use Government money to buy places at state or independent schools. The idea, under which the schools would

guarantee discount places for pupils from low-income families, has been floated as an alternative to assisted places.

A return to the state sector under the conditions envisaged by Dr Stephen is seen by its supporters as more acceptable to Labour than a voucher system. But both would make heavy demands on the public purse. Fees are less than at many comparable independent schools, but exceed the average level of state school funding by more than £1,200 per pupil.

Gillian Shephard, the Education Secretary, has ruled out the use of vouchers to pay for education, but is studying a report by the management consultants Coopers and Lybrand which examines the feasibility of "learning credits" for post-16 education.

## Shephard tells governors to sack bungling teachers

By John O'Leary  
Education Editor

SCHOOL governors should act on inspectors' reports by sacking teachers identified as incompetent, Gillian Shephard, the Education Secretary, said yesterday.

Mrs Shephard, speaking at the launch of the new Teacher Training Agency's first corporate plan, demanded action to cut the number of poor lessons in state schools. For several years, inspectors have found more than a quarter to be unsatisfactory.

The agency is to focus on the £500 million spent on in-service training to try to improve the performance of existing classroom staff. Mrs Shephard said: "Now that governors are running tight ships and are accountable for their own spending, there is no room for incompetence."

Inspectors' reports had given



Shephard: tough line

en governors the ammunition they needed to weed out those whose performance would warrant dismissal in other professions, Mrs Shephard said.

She added: "The measures that are being anticipated today are intended to help teachers, but when help fails, other measures have to be

brought into play." The Education Secretary's tough line echoed demands by Tony Blair, the Labour leader, and Chris Woodhead, Her Majesty's Chief Inspector of Schools, to sack incompetent teachers.

She acknowledged that disciplinary procedures could be lengthy, but argued that the information and the mechanisms were now in place for governors to act.

Geoffrey Parker, the former High Master of Manchester Grammar School who chairs the new agency, said that heads should use appraisal to identify teachers' weaknesses and arrange for remedial training. The agency was established last September to oversee the shift in emphasis in training from higher education to schools. Secondary schools have already begun to take a leading role and the system will be extended to primary schools next year.

## Sinn Fein opens way for talks

By Nicholas Watt  
Ireland Correspondent

GERRY ADAMS yesterday paved the way for the first formal meeting between Sinn Fein and a government minister in more than 20 years when he came close to accepting Britain's agenda for talks. In an important concession the Sinn Fein president told

the *Irish Times* that his party would agree to treat the decommissioning of IRA arms and demilitarisation as separate issues.

Ministers have so far refused to meet Sinn Fein because the party had insisted on linking the decommissioning of IRA arms to "demilitarisation". The Northern Ireland Office has rejected

this condition because demilitarisation includes disbanding the Royal Ulster Constabulary and sending all British troops back to the mainland.

Mr Adams told the *Irish Times* that while demilitarisation would have to be discussed, "Decommissioning can be taken as a separate issue if they [the British Government] wish."

## Computer whizzkid wins multimillion games deal

A FORMER Times worker who used his £3,000 redundancy money to set up a computer games business yesterday secured a multimillion-pound software deal that will create 42 jobs in Dundee (Edward Gorman writes).

David Jones, 29, who became a millionaire after his best-selling Lemmings game sold more than two million copies, is to produce four new computer games for IBM.

Mr Jones, a former electronics engineer with Times, designed his first computer game in the bedroom of his parents' home and used his redundancy money to set up DMA, his wholly owned games company.

Yesterday he dismissed comparisons being made between himself and Bill Gates, the billionaire founder of Microsoft, but said he hoped that his company would become one of the biggest producers of computer games in the world.

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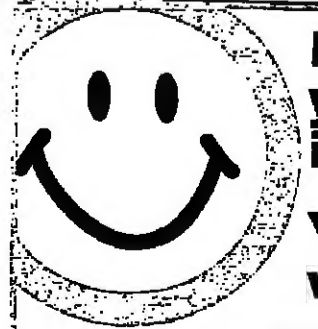
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## Joyriders kill daughter of Royal Navy commander

BY STEWART TENDLER, CRIME CORRESPONDENT

A ROYAL Navy commander was on his way home from Antarctica last night after his 19-year-old daughter was killed when joyriders smashed into a car driven by her boyfriend.

The Ministry of Defence contacted Captain David Alan Phillips on the Arctic survey vessel HMS Endurance after his wife Susan had identified their daughter Nicola as a hospital in Portsmouth. The navy immediately arranged to bring him home.

Captain Phillips has been in charge of Endurance for over a year. A ministry spokesman said last night: "It is a very tragic accident. We always try to help people home."

Miss Phillips was in a Ford Escort driven by Geraint Rowland when it was hit by a stolen Vauxhall Calibra on Southsea seaford on Sunday night.

Mr Rowland, 19, is being treated for serious injuries in the Queen Alexandra Hospital in Cosham. He suffered a fractured skull and severe facial injuries and broke both legs. His condition was described yesterday as satisfactory in the hospital's intensive care unit.

Both Miss Phillips, from Gosport, and Mr Rowland, from Southsea, were students at Portsmouth Highbury College.

Last night Hampshire detectives were interviewing four men in connection with the accident and the theft of three vehicles from a Portsmouth Vauxhall dealer. All four are from the Portsmouth area and are aged between 18 and 22.

Police said two Vauxhall Calibras and a van were taken from a bodyshop. The two Calibras, one black and one silver, were later seen in a car park near Clarence Pier where they were being driven erratically and raced. According to police, the black car left the car park and sped off at an estimated 80mph along Clarence Road and smashed head-

on into the Escort. One man was arrested at the scene and two were arrested later. The fourth man was arrested at a friend's house in the Portsmouth area yesterday and received hospital treatment before he could be taken into custody.

Detective Inspector Mick Fiddens of Southsea CID said: "We are still trying to piece together exactly what happened and we are anxious to speak to anyone who may have witnessed the accident."

Miss Phillips was described yesterday as a "lovely, gorgeous girl" by one of her neighbours. She was nearing the end of a two-year course in hotel and catering management and was due to take her final exams this summer.

Rod Haveland-Smith, a lecturer, said: "Nicola was a very bright student who was well liked by her fellow students and respected by the staff. We broke the sad news to the 75 students in her year this morning. Some were devastated and have been counselled by specialists and supported by staff."

Jeffrey Knott, her next-door neighbour, said: "She was a lovely, gorgeous girl. What a tragic loss. She was very outgoing, with a lovely personality." Miss Phillips had a younger sister and brother.

The family's solicitor, Ian Sandilands, issued a statement on behalf of her mother yesterday. He said: "The car in which she was a passenger was in collision with another vehicle which is believed to have been stolen. We understand that there is no criticism of any description of the manner in which the car in which Nicola was a passenger was being driven."

"We also understand that a criminal investigation into the circumstances of the incident is continuing and in view of this, we do not wish to indulge in any speculation which may affect the outcome of the investigation."



City workers Audrey Coetzee, left, Sandra Canty, centre, and Sue Flynn sample the Prince's new drinks at a wine bar yesterday

## Prince's soft drinks have sparkling future

BY DOMINIC KENNEDY



Balls: "Smells like strawberries."

THRUSTING his nose deep into a glass, one of Britain's leading wine buyers yesterday sampled the "adult" soft drinks being launched by the Prince of Wales.

"It smells like a bowl of strawberries," Richard Balls, managing director of Balls Brothers, said before tasting Duchy Originals herb and fruit blend Number One.

After a few sips of the pink, sparkling liquid, he said: "That has a good fruit flavour but it's nice and dry. The herbs help a lot. Most soft drinks are sweet. It's not a drink to have with a steak but I can imagine sitting in a bar drinking this in the sunshine. It's jolly good."

He then turned his expertise to its sister drink, Number Three. "Sort of butterscotch," he suggested, nostrils pinched over the pale amber beverage. "It doesn't smell like a fruit, it smells more like nettles." Again, he tasted. "I'm not so keen on this," he said. "It's sweeter and more chemically." He

was though optimistic about both drinks' prospects. "People are demanding something with a good flavour that can be drunk in surroundings where people are generally drinking alcohol."

Mr Balls was one of the first people to try the two drinks from Duchy Originals, a company formed by the Prince in 1990 to develop farm products.

It has already created organic biscuits in oat and ginger flavours which are being sold on the Continent, in America and the Middle East. The Prince has directed that all "distributable profits" go to charity, but so far there have been none. "They are still at the stage of covering the set-up costs," a Duchy Originals spokesman said.

The new drinks are designed as non-alcoholic substitutes for red and white wine at dinner parties. Number One includes apple and raspberry juice and unusual plants such as white horehound. Number

Three is made from apple and pear juice, fennel and other herbs. Both use rosemary, summer savory and Scottish spring water. There are no additives or preservatives.

The drinks are being marketed and bottled by Coca-Cola & Schweppes Beverages in East Kilbride. The 75cl bottles cost £2.89 at Selfridges in London, and other selected stockists.

In Gower, a City wine bar, stockholders were pleasantly surprised by the flavour of Number One. "It's not too sweet and it's quite refreshing," said John Sellers, 44. His companion Colin Clinie, 36, said: "It's all right, I would drink that."

Number Three was given a poor reception by City women. "It smells herby, like that horrible Aquaria Libra," Sandra Canty, 40, a receptionist, said. "It tastes organic." Sue Flynn, 40, a secretary, said: "It's very cloudy but it might be nice in the summer if it was served ever so cold."

## Doctor's son fails to appear on assault charge

BY KATE ALDERSON

A WARRANT was issued yesterday for the arrest of a doctor's son who is accused of using bogus medical qualifications to treat patients at his father's surgery.

Bruce Moss, 26, failed to appear in court yesterday to answer charges of assaulting three women patients, causing them actual bodily harm, at his father's practice in Whitehaven, Cumbria, in July 1993.

It is alleged that while working in his father's surgery for a matter of weeks in July 1993 he injected the patients with vitamins, took blood and removed stitches. He is charged with forging a letter from a doctor at University College Hospital, London, and using it to try to get a job at the surgery.

The forged letter allegedly claimed that Mr Moss was a medical student of high enough standard to carry out certain procedures.

Mr Moss's father, Dr Brian Moss, 53, was accused of deception involving the forging of a National Health Service prescription form in July 1993.

He was alleged to have attempted to avoid liability by preparing a £4.25 prescription in somebody else's name to avoid payment to the health service.

Dr Moss pleaded guilty at Carlisle Crown Court but denied a more serious alternative charge of conspiracy to evade payment to the health service. His guilty plea was accepted by the prosecution.

After a five-minute hearing, the case against Dr Moss, a well-respected general practitioner who has worked in Whitehaven for more than 20 years, was adjourned for pre-sentence reports. He will appear in court again on April 10.

Kevin O'Connor, solicitor for Bruce Moss, said after the hearing that he thought his client could be in Saudi Arabia.

Police began a search for Mr Moss, of St Bees, Cumbria, after Mr Justice McKinnon issued a warrant for his arrest.

## Warden is forced out of church over affair

A CHURCHWARDEN has been forced to resign because of her affair with a member of the congregation nearly 20 years her junior.

Margaret Richards, 51, and Kevin Hughes, 32, are worshippers at All Saints Church in Fawley, near Southampton, where Mrs Richards is also a member of the choir.

Mrs Richards, a widow, says that if she married Mr Hughes she would lose the £10,000-a-year pension provided by her late husband's company. Esso, but while they live together at her home she still gets the money. Under rules introduced by Esso recently, wives whose husbands died after July last year may remarry.

She said: "My position came up for renewal and I chose not to stand. People told the rector they were unhappy. I understand and sympathise with that because I am too."

The rector, Gary Philbrick, said: "People have been very supportive of Margaret and Kevin but it is difficult to have people in irregular situations in leadership positions."

## Prisoner on run linked to missing Canadians

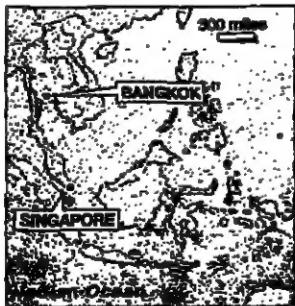
BY STEWART TENDLER, CRIME CORRESPONDENT

AN ESCAPED British prisoner held in Singapore over the murder of a South African tourist whose body was chopped up and thrown in the harbour is to be questioned about the disappearance of a Canadian woman and her son.

John Scripps, 35, vanished on home leave from The Mount prison at Bovingdon, Hertfordshire, in October. He was serving a 13-year sentence for heroin smuggling imposed in 1988 at Southwark Crown Court, south London.

Last week Scripps was charged with the murder of Gerald Lowe, 32, a chemical engineer from Johannesburg. Police are investigating possible links with the disappearance of Sheila Damude, 49, and her son Daren, 23, who vanished in Bangkok.

Scripps, who had taken the identity of a man he met while in prison, was arrested after flying into Singapore from Bangkok. He was carrying the Canadians' passports. Neither has reported their passport or credit cards missing, although they have been without them



for at least eight days. A credit card company has contacted the Damude family in Canada after it discovered irregularities in the cards' use.

An officer from the Royal Canadian Mounted Police in Bangkok is working with the Foreign Affairs Division of the Thai police to try to trace the two, who vanished after checking out of a Bangkok hotel on March 15.

Bruce Levy, First Secretary and Consul at the Canadian Embassy in Bangkok, said yesterday: "We are extremely concerned for their safety in the light of what we have been told about the man who had their passports."

Mrs Damude was once campaign manager for Hugh Curtis, the former finance

minister for British Columbia, and had become business manager for a Christian school near Victoria on Vancouver Island.

She had flown out to Bangkok to join her son, who was on a trip to the Far East, and planned to go to India with friends.

Scripps is being held in a psychiatric wing at Changi prison. He was seized in Singapore on March 19, seven days after parts of Mr Lowe's body began to surface. He was initially charged with obtaining goods on Mr Lowe's credit card.

Scripps has been travelling under the names of John Martin and Simon Davis. Yesterday British police questioned Simon Davis, 29, who met Scripps in prison several years ago and who believes that Scripps obtained details of his birth certificate to apply for a passport.

Mr Davis said that he believed that Scripps had escaped from prison once before. Last night the prison service denied Scripps had escaped previously. It said that he had been given home leave before and had always returned.

## Churchill scolded 'impudent' Monty

BY MICHAEL EVANS, DEFENCE CORRESPONDENT

FIELD MARSHAL Montgomery was ticked off by Churchill for being "impudent" after speaking out about the importance of National Service, according to letters that are to be auctioned later this year.

Montgomery wrote a letter to an MP describing his alarm over the possible delay in pushing the National Service Bill through the Commons in 1947. He was worried about the dearth of troops after the rapid post-war demobilisation.

Writing to Sir John Anderson, a member of the War Cabinet, Montgomery said: "If the National Service Bill gets delayed or hung up, we are completely sunk. From my angle, as a soldier, I consider it vital to get the Bill

through the house quickly and smoothly... [and] without a lot of argument or trouble. We must be certain our defence service will stand firm and will not be subject to buffeting by political wrangles."

He added: "I do hope the Conservative Party will lend a hand and will not be too troublesome. I also hope they will not ask awkward questions about the Chiefs of Staff."

The letter was passed to Churchill, who reacted angrily to what he saw as Montgomery's interference in politics. Churchill, who admired Montgomery's aggressive and confident leadership during the war, wrote back scornfully to Sir John, later Lord Waverley: "I think he



Montgomery: spoke out

(Montgomery) would do better to keep clear of politics, of which he knows little. We do not require to be lectured by him, especially when so much of his recent conduct is

unexplained."

He added: "It really might be wise of you to hint to Montgomery that he had better mind his own business and leave politicians to mind theirs. Reading it again, I think his letter is most impudent."

The angry letter, written by Churchill from Chartwell, his country home in Kent, is among several that are to be sold by Christie's on May 5. The sale has been timed to coincide with the fiftieth anniversary of VE Day.

An Armstrong Siddeley car that the father of Mary Lane, of Biddenden, Kent, bought for £495 in 1935 and has been in her family ever since, was sold for £10,600 to Paul Marsden, 50, a farmer from Bromley, at an auction near Maidstone yesterday.

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## Institute of Physics congress

## Cancer diagnosis by laser provides instant results

By NIGEL HAWKES, SCIENCE EDITOR

A NEW method of diagnosing cancer by shining light on to it has been developed by American scientists. The cancer torch is being presented at this week's congress of the Institute of Physics at Telford, Shropshire, by Dr Irving Biagio, of Los Alamos National Laboratory in New Mexico.

The big benefit is that it gives an immediate answer. You can avoid surgical procedures," he says. The device operates by passing laser light along optical fibres to the site of the suspected cancer. The tip of the fibre probe is pressed directly against the surface.

"Light enters the tissue and is scattered back out. In just the same way as you see when you put your finger over a small torch," Dr Biagio says. "A second fibre collects the light that comes back, comparing the spectrum of what went in with what came out. Malignant tissue very clearly affects the colour of the light." The optical fibre probe is slim

enough to pass down an endoscope, the instrument used by doctors for diagnosis and keyhole surgery. So far, the optical biopsy system, as Dr Biagio calls it, has been used to detect bladder cancers with considerable success.

The scattered light shows distinct and consistent spectral differences when it is scattered by cancerous rather than normal tissue. In 73

cases, the system never failed to detect cancer when it was present—and in only one case did it suggest cancer was present in a patient who subsequently proved to be healthy.

Most of these cancers could have been detected by a urologist, but there were several ambiguous cases identified by the laser, where the cost, risk and discomfort of surgical biopsy could be avoided. Now

experiments are being held to determine whether it will work with colon, stomach, cervical and eye cancers.

The applications could go much wider: tests have shown that the system can detect the first symptoms of damage to the eyes that may lead eventually to cataracts, and it is also being used to detect endometriosis, a condition of the lining of the womb that often goes undetected for years.

Many women with small breast cancers could be spared surgery if they are given chemotherapy before an operation, according to a trial of 212 patients published in the *Journal of Clinical Oncology*. Dr Trevor Powles, head of the breast unit at the Royal Marsden NHS Trust, London, found that 13 per cent of treated patients needed a mastectomy, compared with 28 per cent of untreated patients.

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Letters, page 17

## Quick fix quells snorer

SNORERS can now be cured with a hand-held laser (Nigel Hawkes writes). A doctor will tell the conference that over the past two years her hospital has treated nearly 40 snorers.

"The snoring symptom has been greatly reduced or eliminated in virtually all of them," says Dr Virendra Sharma of Royal Oldham Hospital. The carbon dioxide laser is used to remove a tiny

amount of tissue from the soft palate in the roof of the mouth. Snoring is caused by the soft palate vibrating as the sleeper breathes. Removing tissue causes the palate to stiffen as it heals, reducing the risk of vibration.

The commonest operation to cure snoring, removing the tonsils and part of the soft palate, can have side-effects, including changing the patient's voice.



Dr Katie Perry completes a pyramid of pennies suspended in mid-air at the annual congress of the Institute of Physics in Telford. The mild steel core of post-1992 pennies enables two magnets to hold them in an elongated magnetic field, an experiment devised by Professor Robin Willson of Brunel University

## Man has bombing sentence reduced

John Kinsella, the small-time crook convicted of hiding an IRA arms cache for the Warrington gasworks bombers, had his 20-year jail sentence cut to 16 years by the Court of Appeal yesterday.

Kinsella, 50, had expected a bigger reduction and called the case "a mockery of British justice". His wife Audrey said that he had taken no part in the bombings and the IRA had stated in a letter that he was not one of its men. The couple hoped to have the conviction referred back to the appeal court.

## Crime watch

The Government has allocated grants of £5 million for 100 schemes for closed circuit television cameras to protect town centres, car parks, railway stations and community centres around the country. Officials examined nearly 500 entrants for a competition launched last autumn.

## MP's funeral

Sir Patrick Mayhew, Northern Ireland Secretary, and Mo Mowlam, the Labour spokesman, joined friends, relatives and constituents at the funeral of Sir James Kilfedder at Bangor, Co Down. Sir James, the Ulster Popular Unionist MP for North Down, died last Tuesday aged 66.

## Vanunu plea

The actress Susannah York and the playwright Harold Pinter joined a delegation presenting a petition at the Israeli Embassy in London demanding the release of Mordechai Vanunu, jailed in 1986 for spying. Israel fears he will disclose secrets about its nuclear weapons industry.

## £1.6m award

A former ski instructor knocked off his bicycle by a car in Dorset in 1990 was awarded £1.6 million agreed damages against the driver in the High Court. Christopher Frappart, 29, of Canterbury, is almost completely paralysed and is dependent on his wife, Jane, and two full-time carers.

## Rare breed

Staff at Cotswold Wildlife Park in Burford are hoping a pair of Amur leopards just arrived from Frankfurt Zoo will breed. The cats, a rare type native to east Siberia and North Korea, will be on view to visitors during six months in rabies quarantine at the park's leopard house.

## Twin emergency

A woman in premature labour with twins was driven 84 miles from Bristol to Exeter in an ambulance because intensive care cots in six hospitals were fully booked. Her husband had to follow in his car. Eleven hours later, Karen Riordan, 31, gave birth to daughters Naomi and Lily.

## Wartime echo

Four thousand people will be moved from their homes in Portland Bill, Dorset, this weekend while experts deal with a half-ton unexploded German bomb. Police are appealing for temporary accommodation for their pets. A further 4,000 people will be unable to leave their homes.

## Lee takes up fight to save Cider with Rosie valley

By IAN MURRAY

THE author Laurie Lee is leading a campaign to stop a housing development in the unspoilt Cotswold valley where he drank cider with Rosie.

The 80-year-old author and poet is recovering from influenza but last night he was determined to attend the first protest meeting about what he calls "this so-called development" in the Slad Valley. Four Oaks Developments wants to build 90 houses on the nine-acre site.

"This place has been green and untouched since the days of the Romans and I hoped it might outlast me," he said. "It would be stupid to destroy it."

Planners have not shown themselves to be moved by Laurie Lee's literary arguments against development. Six years ago he penned a few lines to save 12 trees from being cut down to make way for a supermarket on the outskirts of Stroud.

"I think that I shall never see, a Tesco lovely as a tree: And if we're forced to cut ours down, I'll shame the gateway to our town."

The verse had no effect, however, and the superstore was built.



Lee: protest meeting

## Non-stop radio switches off DJ

By ALEXANDRA FREAN, MEDIA CORRESPONDENT

A 60-STATION radio service, playing continuous music with no disc jockeys or news bulletins, is being launched in this country.

Using cable television technology, Music Choice Europe will deliver channels to the home specialising in everything from Hip Hop to jazz to gospel through to baroque and opera. There is also a calming "mellow mood" station and a children's channel.

Each station will play about 1,600 tracks: that compares with an average of 69 tracks on the Radio 1 daytime playlist each week and about 1,000 on Classic FM.

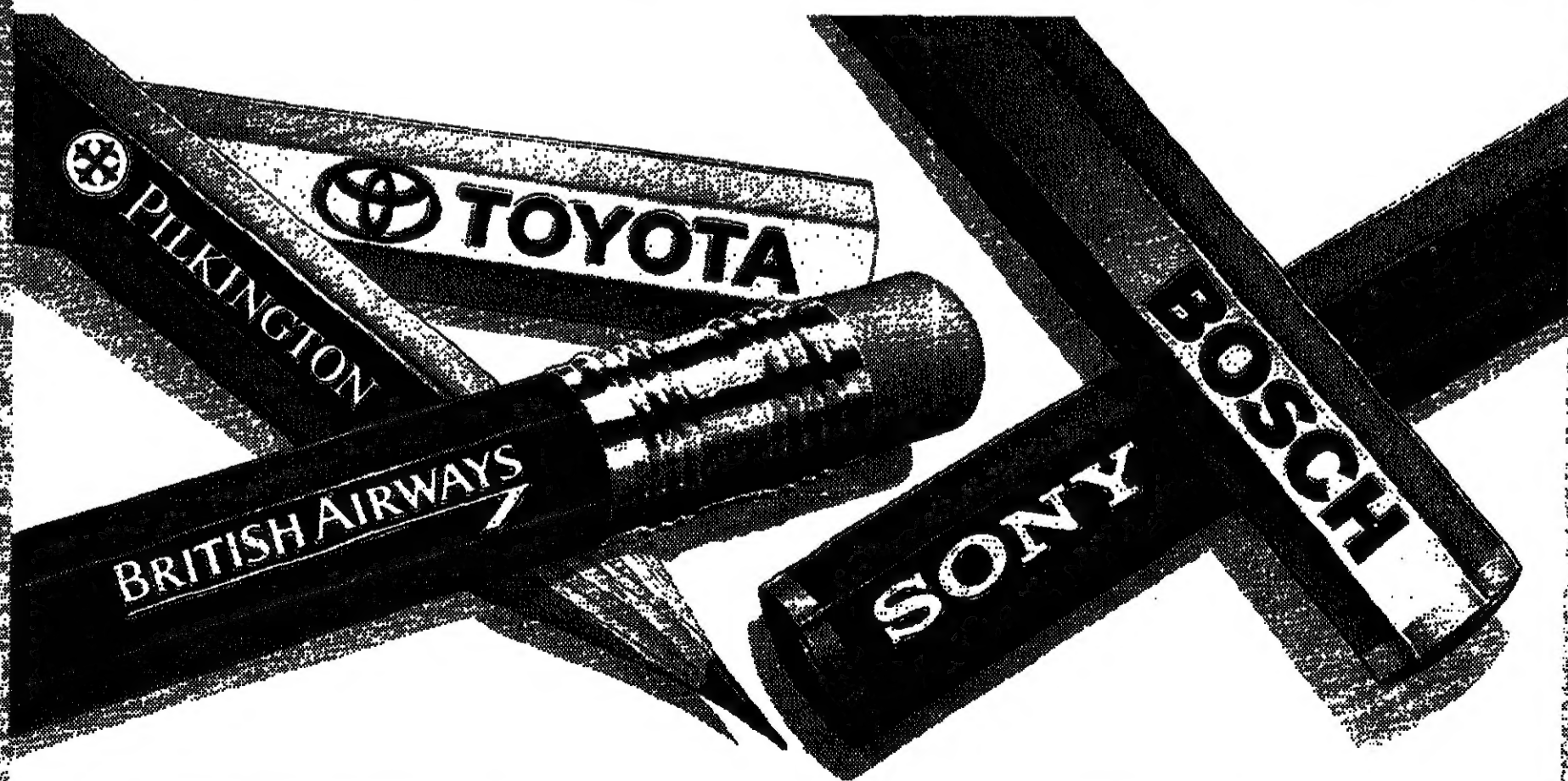
Stephen Heller, director of programming from MCE, said that the music for each channel was chosen by a team of 40 programmers and music consultants. Listeners can find the name of a piece of music, the artist and catalogue number by pressing a button on a hand-set, which will display the information on a screen.

Backed by a consortium led by Warner Music and Sony Software, MCE will deliver the channels by satellite to a central cable system within each cable franchise area, which then pipes the channels into homes. Listeners will need a decoder, which MCE provides as part of the £7.50 monthly subscription fee. The decoder is then plugged into any stereo system.

Stuart Graber, chief executive of MCE, said that his company had been trying out a 35-channel version of the system in 3,000 homes in Birmingham since January. All 85,000 homes in the franchise of the cable company Birmingham Cable will be able to receive it from next month.

The company is planning to extend the service, similar to ones already running on the Continent and in America, to four other British cities within three months. "We hope that eventually cable operators will offer MCE as part of their basic programming package," Mr Graber said.

SO MANY COMPANIES  
FIND WALES  
HAS SUCCESS  
WRITTEN  
ALL OVER IT.



The same thing seems to happen to companies who move to Wales.

They grow.

Multinationals like Sony, Pilkington, British Airways, Bosch, Toyota and a host of smaller companies are all now bigger companies.

It happens for a combination of reasons.

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Society formed to fight for laity

## Parish protesters threaten court action over bishop

BY RUTH GLEDHILL  
RELIGION CORRESPONDENT

CHURCH of England parishioners have set up a body to fight for the rights of the laity. The Parishioners' Society, which wants to make the Church more democratic and the clergy more accountable, is threatening to take the Bishop of Blackburn to court after he intervened in parish affairs.

The parishioners, from the church of St Laurence at Chorley, Lancashire, say the society has been set up "to protect the interests of lay members of the Church of England" and to press for reforms. They are protesting against clergy who believe they are "in some sense above the law".

Yesterday they said they may take legal action in the High Court against the Right Rev Alan Chesters, who overruled a decision by the parochial church council over when they should hold the annual meeting.

The society says it has been advised by a leading church lawyer that the bishop's action falls outside his powers under the Church Representation Rules, which dictate how parochial church councils are run.

The dispute follows conflict in Norfolk, where five parishioners want to opt out of diocesan control in protest against action by the Bishop of Norwich, the Right Rev Peter Nott, who sacked their priest-in-charge, the Rev Kit Chalcraft, because he wanted to marry for a third time.

The parochial church council in Chorley voted to hold the meeting on Tuesday, April 25, at 7.45pm. Other church members petitioned the bishop to hold the meeting next Sunday, and he overruled the original



The Rev Kit Chalcraft

decision. The Parishioners' Society is considering seeking an injunction to prevent the meeting on Sunday.

In a press statement yesterday the society, which intends to become a national organisation and is asking for a £5 subscription, said: "There have been numerous reported cases of disputes between members of the clergy and lay parishioners in recent months. It is believed there are many more which go unreported. The society aims to offer advice and assistance to churchgoers involved in a dispute with Church of England authorities."

"Inevitably some will seek to portray the Parishioners' Society as being anti-clergy or even anti-church," the statement says. "In fact, nothing could be further from the truth."

"There is, however, a small minority of clergy who seem to believe that they are in some sense above the law and that, if they want to pursue a particular course of action, they are entitled to do so regardless of others' rights and opinions. If parishioners object to this they are often

dismissed as troublemakers and there is frequently nobody they can turn to for help. There is no independent procedure for dealing with complaints about the clergy."

A spokesman for Bishop Chesters insisted he had not acted undemocratically. The Rev Richard Steel, of the Blackburn diocese, said: "The bishop believes he is in fact supporting the democratic rights of the vast majority of the congregation of St Laurence's, Chorley. He received a petition signed by 160 members of the congregation supporting an early date for the annual parochial church meeting which the PCC refused, by means of a procedural motion, even to consider."

The rector of St Laurence, Dr John Fenwick, said that "given the threat of legal action, it would be inappropriate for me to comment".

Russ Conway in his heyday, when tunes such as *Side Saddle* swept the nation

## Trapped thumb may end career of Russ Conway

BY LUCY BERRINGTON

THE pianist Russ Conway, the immensely popular interpreter of catchy tunes in the Fifties and Sixties, is facing the end of his musical career after trapping a thumb in the door of his Rolls-Royce.

Mr Conway's left thumb was almost severed in the accident when the wind slammed shut his car's door on a shopping trip in Eastbourne last Friday.

The pianist, who won a silver disc for sales of 200,000 LP records and whose fame predated teenage adulation, lost part of a finger in a broad slice many years ago, and had a five-year battle against cancer. He said: "It was horrible. I have never felt so much pain in all my life but all I could think of was my music. I thought: 'I'll never play again'." His hand required a five-hour operation at the Queen Victoria Hospital, East Grinstead, West Sussex.

Mr Conway, 69, said: "It was a touch-and-go operation." He has cancelled five shows and must wait until

May to find out if the operation has been successful. "It's my fortieth year in show-business. I have had a good innings so if I can't play again that's that."

The Bristol-born pianist found stardom in the 1950s and 1960s with a string of his own compositions including *Side Saddle*, *China Tea* and *Roulette*. He sold 30 million records and hosted his own television series.

Colleagues expressed sympathy over his latest affliction. The comedian Jimmy Cricket said: "Knowing Russ, he will fight for a full recovery." The actor Melvyn Hayes, an old friend, said: "Russ is a magical pianist, part of our national heritage. All my generation grew up listening to him. I wish him well."

Mr Conway had the last word: "God works in mysterious ways and I'm wondering if this is his way of telling me to pack it in. Maybe I'll ring Dudley Moore to see if he can turn the pages for him at his concerts."



Curry: died last year

## Skater's family delays biography

BY JOHN GOODBODY

THE publication of a controversial biography of John Curry was suspended yesterday. The ice skating champion died last year of an AIDS-related illness after contracting HIV from a homosexual partner.

*Black Ice, the life and death of John Curry*, was due out on Thursday but the family of the 1976 Olympic and world champion has challenged the book's account of his upbringing. The author, Elva Oglanby, also claims that Curry was involved in homosexual relationships, drugs and mind-control therapy and suffered from the eating disorder bulimia nervosa.

A spokesman for Victor Gollancz, part of the Cassell group, confirmed yesterday: "We have received a complaint about the book and we have delayed publication."

Michael Curry, the skater's brother, said the book "caused great hurt to my family". Andrew, John's other brother, and Rita, his mother, who nursed John in the last two years of his life, supported Michael's complaint after seeing a pre-publication copy.

Liz Knights, publishing director of Victor Gollancz, pointed out that some publicity statements used in the early stages of the book were distributed only to members of the publishing trade and had limited circulation.

### CORRECTION

The inquest on PC Philip Olds, who died after being shot in 1980, returned an open verdict (report, March 21).

## Film of 'aliens' offered to MoD

BY MICHAEL HORSNELL

FILM that is claimed to show the bodies of alien beings who died when a "UFO" crashed in the New Mexico desert in 1947 is to be offered to the Ministry of Defence for analysis.

The 91-minute film, which purports to show a number of dead aliens with neither hair nor facial features and the wreckage of their craft, was allegedly shot by US government officials and kept under wraps for 47 years until an unauthorised copy emerged recently.

Philip Mantle, director of investigations of the British UFO Research Association, said yesterday: "I am sceptical by nature but potentially this is mind-boggling."

The claim is the latest twist in the story of the world's most celebrated UFO mystery which has sparked decades of speculation and conspiracy theories. According to a report in *The Times*, the US Army announced on July 8, 1947, that an object resembling a "flying disk" had been found near Roswell and sent

### U.S. ARMY TO EXAMINE A "FLYING DISK"

From the Associated Press. WASHINGTON, July 8. — An Army announcement from Roswell, New Mexico, that an object resembling a "flying disk" had been found there, the commander of the Roswell Air Force said here today that the object was being sent to the research center at Wright Field, Ohio, for examination.

### The Times report of the "flying disk" in 1947

to the military research centre at Wright Field, Ohio. But last September the Roswell incident was officially identified in a US Air Force report as part of a secret American atomic spying programme.

Flying-saucer enthusiasts, reluctant to abandon their theories, denounced the Air Force report as a cover-up and produced the film.

The cameraman who leaked the black and white footage passed it to the British TV documentary filmmaker Ray Sanjili. It will form the basis of a BBC TV documentary due to be screened in August and also shown to an international audience of UFO spotters during a two-day conference at Sheffield Hallam University on August 19-20.

# Everything that flies is lighter than air.



## Officers who suffered stress sue chief constable for lack of orders in emergency

## Police tell of betrayal in Hillsborough disaster

By PAUL WILKINSON

JUNIOR police officers felt abandoned and betrayed by their commanders during the Hillsborough soccer disaster, a court was told yesterday. They lacked orders in the early stages of an unexpected tragedy beyond their normal duties, the High Court in Sheffield heard.

One of the officers, PC Anthony Bevis, 47, said in a statement read to the court: "We were abandoned by the senior officers in an unknown situation. There was also the sheer number of the dead and injured that I was asked to deal with. I felt totally betrayed by the senior officers whose job it was to command."

Another officer, Inspector Henry White, 51, thought his radio had stopped working because he heard no orders and a constable told of making his own decision to clear the pitch.

Six South Yorkshire officers, five now retired on medical grounds, are suing their chief constable for the stress they say they suffered by witnessing the scenes at the Sheffield Wednesday ground in April 1989.

Ninety-six people died at the Liverpool v Nottingham Forest FA Cup semi-final. They were caught in a crowd surge at the Liverpool end of the



Mr White, left, leaving court with Mr Bairstow, who spoke of "anger towards my superiors"

ground as the match was about to start. Four hundred were injured, trapped between the crowd surging into the pens in the Leppings Lane terrace and barriers to prevent pitch invasions.

A statement by Sergeant Janet Smith, 45, said she still had nightmares about the tragedy. She had to strip and identify victims at a hospital where a mortuary had been set up.

"My greatest anxiety was dealing with the relatives," she said. "I felt the South Yorkshire Police were lacking in care for the relatives and for the officers."

PC Mark Bairstow, 47, who

letting the situation happen. The force has already admitted that it was responsible for the disaster through a breakdown of crowd control.

The officers had suddenly been faced with a situation that was "truly gruesome". The faces of the crushed and suffocated victims pulled out of the pens were "purple and hideous to behold", Mr Hytner said.

Some officers had worked in a temporary mortuary in a gymnasium under a stand in the ground, where the scenes were "utterly horrible". On the pitch, where the dead, injured and unharmed had been passed from the terraces along a chain of officers, they had worked amid a milling and hysterical throng, often hostile towards the police. Many officers had suffered psychological injury in dealing with the victims, their friends and relatives, Mr Hytner said.

The Chief Constable, Richard Wells, had been in breach of a duty of care to the six serving officers, as rescuers on the day and as participants in the disaster. "Some people in this case have failed to distinguish between a police officer doing his public duty and attending events that are dangerous and could lead to his own death, and with a chief constable who by negligence creates a situation where his men are going to be hurt," he

said Hillsborough changed his character, added: "My immediate reaction was one of anger towards my superiors. No one appeared to be taking charge of the incident. That anger still exists. It appeared no one would make any sort of decision."

The case is believed to be the first claim against the police force by officers for mental stress caused by their duties. It may lead to other claims from members of the armed forces and the emergency services.

Ben Hytner, QC, for the six officers, said that the South Yorkshire force had breached its duty of care to officers by



Hillsborough, April 1989: dead and injured were passed along a chain of officers amid hysterical crowds

said. The 52 officers who had laid claims had been reduced to 37, of which 14 had been accepted by South Yorkshire Police and its co-defendants, the Sheffield Wednesday club and the ground's engineers, Eastwood and Partners. The six cases before the court would determine the remaining 17.

Mr Hytner said that post-traumatic stress was not a new

illness, but psychiatrists were now more skilful in ascertaining its effects, which could range from total disability to mild after-effects followed by complete recovery.

Inspector White said that he had been so distressed at the scenes that when he had tried to telephone his wife to tell her what was happening he could not remember his telephone number. The disaster had not

effected him seriously until several days later, when he had broken down and cried in the office of a superior. He said that he felt angry "that our failure to control the situation had resulted in so many deaths".

PC Geoffrey Glave, 45, said he had been distressed by the number of young people among the victims. Detective Constable Ronald Hallam, 47,

said: "I thought I would be able to cope with it. I couldn't though."

All the officers except Sergeant Smith attended the opening of the hearing, which continues tomorrow and is expected to last at least three days. When the officers' statements of their experiences in the disaster were read to Mr Justice Waller, all but one left the courtroom.

## 'What began as a lovely sunny day suddenly went black and full of death'



PC Glave: no one in control

CONSTABLE Geoffrey Glave, 45, was on a line intended to prevent a pitch invasion by Nottingham Forest supporters, many of whom later cheered each time a body was brought out of the Liverpool crowd. He helped St John Ambulance staff to treat the injured on the pitch but said: "It was only when I went into the gym, which had been turned into a temporary mortuary, that I realised how many people had died."

"It has made me irritable and unable to concentrate. I suffer severe depression. It was the enormity of the tragedy and that so many young people died. I have two children of my own and it could so easily have been them."

What had started out as a lovely sunny day suddenly went black and full of death.

PC Anthony Bevis, 47, who had been on crowd control, went on to the pitch to help trapped fans and said he could see no senior officers on the ground. He spoke of hysterical people milling around among the corpses and officers working on the rescue.

He gave mouth-to-mouth resuscitation to a young boy as his crying brother looked on but it was unsuccessful. A woman constable approached him from the crowd and told him she was frightened and upset because she realised they could do nothing. At one point he suggested to his

sergeant that they clear the pitch to improve conditions but eventually attempted it on his own initiative. Later he went into a room in the stand where he saw a deputy chief constable from the Merseyside force who asked who was in charge. No officer there could tell him.

Back on the pitch he saw a constable he knew walking towards him. "He had lost his tunic and his shirt was ripped. He was extremely distressed."

PC Bevis said he had dealt with many deaths in the course of his job. "The difference on this occa-

sion was our lack of preparation for what we were about to face."

"I felt a total betrayal by the senior officers. I also felt guilty as to the fact that I should have been able to do more, particularly for the young man who begged me to save his brother."

Detective Constable Ronald Hallam, 47, had been on undercover duty looking for pickpockets behind the Leppings Lane terraces, but had been forced to abandon the job because of crowd pressure. He spoke of seeing a horse lifted off its feet in the surge. He went on to the pitch where a

boy aged about 12 was brought to him. "He was dead but I tried to resuscitate him."

Later he went to the temporary mortuary and was told to lay out the bodies in rows of 12 for identification by friends or relatives. "They were bloated, purple. They were bleeding. They were grazed, dusty and dirty." He was asked by a colleague to look out for his son, who had been on the terrace, and examined every body, counting them as he did so. He counted 74. He said relatives were asked to identify victims from Polaroid pictures. "Some were stunned, some were screaming, unable to accept what had happened." He finished work at

3am the next day and was off sick for the next three days. "It was the enormity of the number of dead and the fact that so many were young people," he said.

Sergeant Janet Smith was sent directly to the mortuary at the Northern General Hospital in Sheffield to assist in identification of bodies. She was shown to a room where there were ten bodies, three on trolleys and the rest on the floor. She felt that South Yorkshire Police were lacking in concern for the relatives by asking them to identify victims from photographs. Sergeant Smith suffered insomnia, nightmares and could not concentrate. She retired from the police a year later.

## CASE HISTORIES

## Briton lost in Sumatran jungle

By JOHN YOUNG

A SEARCH was continuing for a young Briton missing in the Indonesian jungle last night after his companion was found suffering from exhaustion and hypothermia.

Darren Roper, 24, of Bognor Regis, West Sussex, and his friend Edward William, 21, of Lancing, Cornwall, set off nine days ago from a hotel in Bukittinggi, western Sumatra, to climb the nearby Mount Merapi. Yesterday Mr William was found by police searchers and taken to hospital but was not yet able to explain what had happened.

The Foreign Office said that Charles Gray, the British Consul-General, had flown to Bukittinggi from Jakarta on Sunday and members of his staff were helping in the search.

Sumatra is the second largest island in the Indonesian archipelago and the Bukit mountain range stretches for about 1,000 miles, rising from dense rainforest to a maximum height of 12,500ft. Mount Merapi, about 9,500ft, is popular with backpackers.

The Foreign Office said yesterday that the weather could be treacherous and the walk through the jungle very difficult. Police had described present conditions as slow-going and dangerous.

The pair had set off on March 19 and were sighted at



Roper was last seen descending mountain



the top of the mountain and again on their descent before they disappeared.

Bill Roper, 61, the father of the missing climber, said he did not expect to hear any more until the search resumed at daybreak local time, eight hours ahead of London. "He has been on a jungle training course. He is very level-headed and knows what he is doing," Mr Roper said.

His son had gone to Sumatra last year for about two months. On his return to England he had taken a job in a factory and saved his earnings before leaving again in February. He had travelled throughout Thailand before going to Sumatra.

## Hotels complain at levy for music on bedroom TVs

By RICHARD FORD, HOME CORRESPONDENT

HOTELS are being charged a copyright fee for music broadcast on televisions in guests' rooms.

The British Hospitality Association, a trade organisation representing hoteliers and caterers, says the Performing Rights Society is taking advantage of a grey area in the copyright laws.

Terry Rumsey, a hotel owner in Suffolk, pays £17.70p a year for background music in his main bar. The society charges him a further £25.77p for music broadcast in corridors and bedrooms, even though Mr Rumsey says no music is broadcast in the corridors at the 12-bedroom Bull Hotel at Barton Mills.

Mr Rumsey complained to the society and was told that he had to pay for all music broadcast, including signature tunes and advertising jingles on televisions in guests' bedrooms.

Mr Rumsey, 52, added: "The PRS is just grasping every penny it can. It is ludicrous to charge for music in guests' bedrooms." He only became aware that he was being charged for music on guests' televisions because his 1995 bill was itemised.

A spokeswoman for the society said: "We stick to the principle that hotels or pubs, including bedrooms, are public places used by the public. Therefore music played on bedroom televisions is a public

performance for public entertainment."

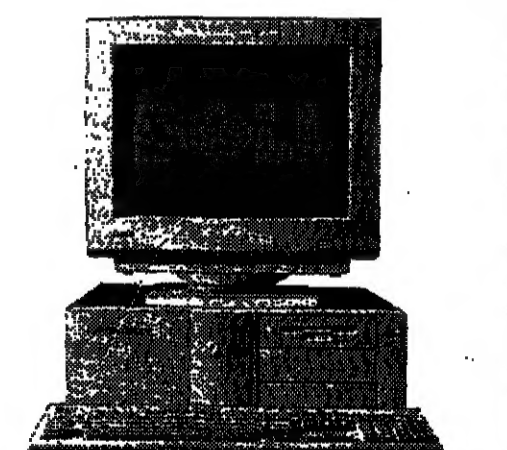
She admitted that the society was taking advantage of a grey area in the 1988 Copyright Act, which does not define a public performance. "There is a grey area as to whether music in a hotel bedroom is public or not. The Act does not define what is a public performance. It just states anything outside the domestic circle."

The society licenses all broadcasts of music outside domestic use. It charges for music performed in a range of places including shopping malls, airports and shops. There are 40 different tariffs in the hotel and restaurant section based largely on the seating capacity of a bar or restaurant.

Many hotels and public houses with bedrooms have refused to pay the charge. A spokeswoman for the British Hospitality Association said it advised its members against paying.

"We do not recognise that music on a television in an hotel bedroom is a public performance. As far as we are concerned it is broadcast in private."


John Pyke, joint chief executive of the Association of Licensed Free Traders, said attempts to discuss copyright payments with the Performing Rights Society had been rebuffed.




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Porn cinema arsonist is given life for fire deaths

DAVID LAUWARS, a tailor's assistant, was jailed for life by the Old Bailey yesterday for the manslaughter of 11 men who died after a fire at a porn cinema club. He was cleared of three representative murder charges.

Fifteen men were also injured in the blaze that swept the New City club in Smithfield, central London, in February last year.

Lauwars, 35, a deaf man, who had a conviction for arson, was told by Sir Lawrence Verney, Recorder of London, that he should serve at least ten years.

Lauwars started the blaze after a violent row with the club's doorman over the entrance fee. He bought a can of petrol at a garage, went back, sprayed it over the entrance lobby and ignited it.

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## Tom King touted as front-runner for Hanley's job

By NICHOLAS WOOD AND ALICE THOMSON

THE former Defence Secretary Tom King emerged yesterday as an early front-runner to replace Jeremy Hanley as Conservative Party chairman.

Despite an attempt by party grandees to rally round the beleaguered Mr Hanley, most Tory MPs were convinced that he will go in a summer reshuffle. Mr Hanley kept a low profile yesterday after the disclosure by *The Times* that the Prime Minister has decided that he is not the man to front a general election campaign.

He steered clear of the local election news conference at Central Office yesterday, attending instead the meeting of Government business managers at 12 Downing Street. Mr Major was also otherwise engaged, missing the meeting to work on two big speeches he is to deliver this week.

Sir Norman Fowler, a former party chairman and no

stranger to ghastly headlines, insisted that Mr Hanley was not to blame for the Tories' plight. The problem was not a lack of leadership from either Mr Hanley or Mr Major.

"What is dragging us down is the internal division inside the Conservative Party," he said on BBC Radio. A small minority was "conspiring to do the utmost damage" and taking "pot shots" at the leadership.

Mr King, 61, who left the Government after the last election, was being widely touted as the kind of reliable figure the Tories need to weather the storms ahead and steer them through the perils of a general election campaign. MPs also felt that he would be better at dealing with the media than the accident-prone Mr Hanley, whose confidence has been shaken by the mauling he has received in his nine months in the job. As one MP put it yesterday, the party chairman needs to be an

"articulate thug" and the amiable Mr Hanley had proved too nice for his own good.

Mr King is known to be bored with life as a backbencher and keen to return to the barricades. With the Government trailing Labour by more than 30 points in the polls and with Mr Major's future again in doubt, few Cabinet ministers appear to be queuing up to take over at Conservative Central Office.

David Hunt, Gillian Shephard, Brian Mawhinney and Jonathan Aitken, after his Tebbit-like snarl at the BBC, are possible contenders. But Mrs Shephard, for one, is thought to be unwilling to move from her post at education. Mr Hunt, the Cabinet troubleshooter, almost certainly wants the job, but restive rightwingers are reluctant to entrust him with so much power and influence.

One way for Mr Major to resolve his dilemma would be



An apparently confident Jeremy Hanley arriving at Central Office yesterday

to move Dr Mawhinney to Central Office, replacing him at transport with Stephen Dorrell and moving Mr Hanley into the vacancy created at national heritage. Many MPs think that such an arrangement would be better suited to the natural talents of this trio with Dr Mawhinney giving a sharper edge to Tory campaigning and Mr Hanley rediscovers his natural ebullience at the "ministry of fun".

Gerry Malone, the combative Health Minister, is also

being mentioned as a possible replacement for Mr Hanley. Mr Malone spent two years as deputy chairman under Sir Norman and knows the ropes at Central Office. But after Mr Hanley, Mr Major might hesitate to pluck another relative unknown from the middle ranks of his Government.

Mr Hanley has been struggling not to make any more blunders since he launched the local elections campaign a couple of weeks ago and immediately tripped up by

virtually accusing all Labour councils of being corrupt.

John Gummer, the Environment Secretary, chaired yesterday's news conference. He said Mr Hanley would not be made a scapegoat for the expected local election massacre. "He has been appointed to be chairman of the party for a long time and that is what he will be doing. Should we have a general election in the next two years I am sure he will be an extremely good chairman to lead us into that election."

## Nine months on but still stumbling

By ALICE THOMSON, POLITICAL REPORTER

THE "hopeless Hanley" tag has haunted the Tory party chairman since he took over the job in July last year.

Jeremy Hanley had only a few weeks to enjoy his meteoric rise from obscure junior minister to the top table before he was being labelled blunder-prone. Some of his colleagues were demanding a safer pair of hands even before the summer recess had ended.

His first mistakes could have been excused as teething problems. In August he revived the row over Lord Archer of Weston-super-Mare and his share dealings just when the Tories had hoped it would die down. He then escaped to Scotland where he got muddled over which parties wanted devolution and which wanted independence.

But after that nothing seemed to go right. In September he dismissed a crowd riot at a boxing match as an "exuberance" after John Major had given a speech denouncing job culture. He later apologised for his "incompetence and over-hastiness" but in the same week he claimed that he had been given his job until the next election rather

than acknowledging that it was in the gift of the Prime Minister. A day later he said that the recent interest-rate rise should not be repeated. The Chancellor has since raised interest rates twice.

By the time it came to a briefing before the party conference in October the chairman was so nervous he tripped up five times in 15 minutes. He said that the former Transport Secretary John MacGregor was unscrupulous rather than scrupulous for taking a City job and that Tony Blair was actually a "likeable and attractive" man.

A week later he sent a letter to Peter Caddybury begging for funds having failed to realise that he had just resigned from the party in disgust at its "incompetence". The next clanger came during the doomed Dudley by-election in December when Mr Hanley was reported as saying that talk of a Tory victory was merely "idle speculation".

He had a chance to redeem himself this month. But his decision to launch the local election campaign with allegations of corruption in Labour councils backfired.

## Major's in a mess but there is no magical successor

John Major has a better case for remaining Tory leader than Margaret Thatcher had in 1990. He obviously faces an uphill battle to win the election. But no other potential leader has a much stronger chance of giving the Tories a fifth term. Stripped of the froth about stalking horses and the like, that remains the central question facing Tory MPs. It is not just whether the Tories are likely to lose under any leader, but how many sitting Tory MPs are likely to save their seats. There is all the difference for those affected between a defeat and a rout.

The parallels with autumn 1990 are intriguing. Then, Mrs Thatcher was only slightly more popular, or rather nearly as unpopular, as the Government as a whole, according to the MORI polls for *The Times*. Now, while Mr Major is even less popular than Lady Thatcher ever was, he is not nearly as unpopular as the Government is. Voters dislike the Government much more than Mr Major.

But the key difference is the existing leader's rating compared with alternatives. In 1990, it was a case of almost anyone but Mrs Thatcher. Alan Watkins records in his *Conservative Coup* "the publication of six opinion polls in the Sunday papers of November 18 showing, with a striking measure of agreement, that the Conservatives would not only do better against Labour with Mr Heseltine rather than Mrs Thatcher as their leader: more, they would actually be ahead". The swing from Tory to Labour if Mr Heseltine took over was between 6 and 10 per cent, a huge change.

This was less to do with Mr Heseltine's attractions than with dislike of Mrs Thatcher. But when she withdrew and other candidates entered the race, Mr Heseltine fared less well. Each poll put the Tories level pegging or ahead of Labour if any of the second round candidates, Mr Heseltine, Mr Major and Douglas Hurd, took over — much better than if Mrs Thatcher had remained. But the gap between the three was small, between three and five points.

### RIDDELL ON POLITICS

and the Tories were projected as performing better under Mr Major than Mr Heseltine.

The Tories' problems derive from the unpopularity of the Government, and its divisions, rather than Mr Major personally. Recent MORI polls show that, whereas the Government's net approval rating, those satisfied less dissatisfied, has been around minus 70 points or more for several months, his personal rating has recently been around minus 45 to 50 points. Moreover, as the MORI poll in the *Sunday Times* showed, the Tories would only perform marginally better, just a couple of points up, if Mr Heseltine were leader rather than Mr Major. And the party's ratings would be slightly lower under Kenneth Clarke or Michael Portillo. A change from Major to Heseltine would produce a mere 15-point swing from Labour to Tory, four to six times smaller than the swing in the Thatcher/Heseltine comparison in 1990.

These figures are inevitably hypothetical and tentative. But they suggest that Mr Heseltine is unlikely to produce a magical transformation in the Tories' prospects on his own if he replaced Mr Major. On any measure, the Tories are in a mess. If you compare their position now, nearly three years after the election, with the same stage of the last parliament, MORI polls show that the net approval rating of the Government is 30 points lower and of the Prime Minister 16 points lower than then, while the leader of the Opposition's rating is 38 points higher. The only comfort is that the public is slightly less pessimistic about the economic outlook now. No Tory MP should believe that a change of leader, with all the upheavals that involves, will make much difference to his or her chances of returning to the Commons after the election.

By PETER RIDDELL

## Civil servants fear neutrality at risk

By NIGEL WILLIAMSON, WHITEHALL CORRESPONDENT

CIVIL servants fear that the Government will try to use them for political purposes in the run-up to the next election.

They believe that a new Cabinet committee set up by John Major last week to "co-ordinate the presentation of government policy" is designed primarily to improve the Government's image and as such will compromise their neutrality.

Liz Symons, general secretary of the First Division Association of senior civil servants, will ask Sir Robin Butler, the Cabinet Secretary and head of the Civil Service, to outline the committee's role and any precedent for it. "The line between explaining a government policy and de-

fending it is a perilously easy one to cross," she said yesterday. "It is a grey area and one which becomes increasingly sensitive in the run-up to the general election."

David Hunt, the public services minister, responded yesterday to a complaint from Giles Radice, chairman of the Civil Service Select Committee, about the potential politicisation of Cabinet Office officials. Mr Hunt said: "Both the co-ordination and presentation of government policy are proper functions of government, with which the civil service has assisted under successive governments." The fulfilling of such a supportive role was consistent with Civil Service codes of practice.

# The Earth is flat.



British defeat averted after attack on 'arrogant stance' of rich European nations

## Portillo fights off EU plan to extend rights of migrants

FROM WOLFGANG MÜNCHAU IN BRUSSELS AND CHARLES BREMNER IN PARIS

MICHAEL PORTILLO, the Employment Secretary, was yesterday spared the prospect of a humiliating defeat in Brussels after European Union social affairs ministers narrowly failed to reach a deal over a directive to improve the rights of workers posted abroad by their companies.

Mr Portillo vigorously opposed the directive, which would have required companies to apply local pay rates and social provisions for migrant workers, as an "arrogant" stance by rich EU countries which discriminated against the poorer members. Britain, which occupies eleventh place in the Union's economic league, is a net exporter of labour, and would have suffered some job losses, according to Mr Portillo. The

French EU presidency had appeared confident that a deal could be reached after the Italians signalled readiness to compromise. But Italy yesterday refused to give in on the two key issues of dispute: whether the directive should apply from the first day of the posting, and whether individual countries should be given the right to impose tougher rules.

The French Government proposed what is known as the "zero option" for migrant workers, under which foreign companies must apply the host country's social and wage rules from the first day of the posting. The French, who already apply the zero option at home, stubbornly rejected a compromise for a short phase-in period. With Italy unrelent-

ing in its opposition to the zero option, Britain, Ireland and Portugal together formed a blocking minority. Mr Portillo estimated that the number of British workers posted abroad was 200,000, although not all their jobs would have been at risk.

In Paris, right-wing politicians in France's presidential race yesterday moved to exploit widespread misgivings over the wisdom of open European frontiers, with some denouncing the Schengen pact as a surrender of national sovereignty. Jean-Marie Le Pen, of the far-right National Front, and Philippe de Villiers, the independent nationalist candidate, denounced it as an invitation to crime.

"This is an abandonment of sovereignty through submis-



Padraig Flynn, left, the European Commissioner for Social Affairs, with Michael Portillo, the Employment Secretary, in Brussels yesterday

sion to ideology," M Le Pen said. M de Villiers, a former leader of the anti-Maastricht movement, attacked the Schengen agreement as a scandal. "Since last night, trucks are leaving Amsterdam carrying cannabis in flower pots for delivery in Paris. Then they go to the Spanish frontier

where they load up with heroin which they unload in Paris before leaving again for Amsterdam," he said. The failure to pass the European directive yesterday means that Germany will not press on with its own domestic legislation to prevent foreign workers from undercutting

Germany's high wages. The German law will also apply from day one of the posting. European ministers are due to tackle this directive again at their next session in June, after the French presidential elections.

Leading article, page 17

## Foreign workers rush to take up cheap-rate jobs

FROM ROGER BOYES IN BONN

ON A busy building site in Dortmund, the ethnic composition of the main work team resembles a United Nations monitoring agency: two Liverpudlians, an Irishman, five Russians, a brace of Macedonians and three Poles. They are on a rush job and so their wages are higher than usual, but their pay is well below the German rate.

Most British building workers in Germany have responded to advertisements placed in the tabloid press by Dutch companies. Pay — about £10 an hour during a ten-hour day — is cash in hand for the English. Each British worker needs an E101 certificate, which says he is self-employed and promises he will pay National Insurance contributions at home.

The British self-employed workers, concentrated in the Ruhr and Berlin, are better off than other foreigners on site. Contractors for most foreign labourers automatically deduct about 40 per cent of wages for tax and national insurance.

The legal status of British workers in Germany is, however, hazy. They can use German labour exchanges and claim social security benefits, but in practice, contractors exploit their linguistic incompetence and their inadequate grasp of local law. It is not uncommon for workers to be threatened with instant dismissal — forbidden under German law.

If British workers have an accident on site, they cannot claim compensation from the employer or receive free hospital treatment. British workers who break a leg end up telling doctors they were knocked down by a car.

Almost 500,000 foreigners are working illegally or semi-legally on German building sites, of whom about 40,000 are British. Norbert Blum, the Labour Minister, wants to standardise the labour rules either with a European directive or by acting unilaterally. He says: "It is absolutely fundamental that we guarantee the same wages for the same work in the same place — the alternative is a return to the 19th century. We could just sit around and wait until we have a European policy."

but I am paid to act." The chairman of the Craft Workers Association, Herbert Spaeth, and the president of the Construction Industry Federation, Christian Roth, urged the minister yesterday to take individual steps if necessary.

"Fair competition will only exist in the European building industry when the principle of equal pay for equal work is translated into European law," Herr Roth said.

A uniform ruling would lead to fewer jobs for the British in Germany but the worst hit are likely to be the Portuguese, who work for a fraction of the German wage. The beneficiaries of a Euro-

pean Union directive would probably be the East Europeans. The Poles working on the Dortmund site have found a way to escape from the increasing number of police checks on the Ruhr. They register as shareholders or partners in a building firm and this allows them to work freely in Germany.

Lutz Pollmann, the head of the Federation of Building Trades in the Ruhr, says: "The authorities cannot claim they are being exploited since they are technically exploiting themselves. Typically several hundred Poles come over for three months, work at half the hourly rate of the skilled German worker and put in 60 hours a week." If a directive came into force, such non-EU workers would be in far greater demand.



Blum: wants workers pay to be standardised

## Lower pay fails to deter skilled labour

BY COLIN NARBROUGH

THE Government's guiding principle that people in Britain should price themselves into work, not out of it, shows no sign of scaring away foreign workers.

Although British labour costs are considerably lower than in high-cost economies such as Germany's, recent studies based on purchasing power indicate that workers on this side of the Channel are not as badly off as the earnings gap might suggest.

The latest Department of Employment figures show that 864,000 foreigners were employed in Britain last spring, making up more than 3 per cent of the overall labour force. Of the two million foreigners in the country, 44 per cent are in work.

Research on foreign workers in Britain is scant, but indicates that they are generally more skilled than the labour force as a whole.

A significant feature of immigrant labour in Britain is the high proportion of corporate transfers involving professional, managerial and highly-skilled technical staff. Deutsche Bank recently decided to concentrate its international investment banking in the City. Germany's big industrial companies have also invested heavily in production and service facilities in Britain. Such developments inevitably bring with them well-paid German staff.

A recent study by Dr John Salt of the Department of Geography at University Coll-

ege, London, found that foreigners are more likely than Britons to work in labour-intensive industries, such as hotels, restaurants, distribution and repairs. After the Second World War, immigrants from Commonwealth countries also filled jobs with a service bias from which Britons shied away.

The establishment of the European Single Market intended to free the movement of people, goods and services among the 15 member states has yet to produce any surge of immigration from Europe. There are 500,000 people from outside the European Union working in Britain — far more than those from EU states.

The Irish Republic, which has traditionally been the source of immigrant labour, still provides the biggest single contingent, with well over 200,000, although this appears to be declining. There are around 15,000 Germans working in Britain, with the focus on highly-skilled and non-manual jobs. This is considerably less than a decade ago and compares with an estimated 70,000 Britons employed in Germany.

The Overseas Placing Unit in Sheffield, part of an EU-wide network of agencies set up to help people find work in other countries, believes it is used by only a fraction of those seeking work abroad.

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## Winnie Mandela faces new tribulations with dismissal from Government

## Rise and fall of woman who ignored all advice

FROM RAY KENNEDY IN JOHANNESBURG

WINNIE MANDELA was warned by her father, when she told him in 1958 of her plans to marry a lawyer 16 years her elder, that she was marrying the struggle, not the man. However, she was in no mood then, as often since, to heed authority and advice.

Nelson Mandela was then 40. He had left his wife and three children and for 15 years had been immersed in liberation politics. She was a recently qualified social worker, employed at Baragwanath hospital in Soweto. Within three months of their marriage she was arrested for her role in an anti-pass law campaign.

Her Xhosa name, Nomzamo, means "she who will go through trials". In the years that followed Mr Mandela's sentence of life imprisonment in 1963 for sabotage and plotting to overthrow the apartheid Government, her trials and the manner in which she handled them became legendary. By the time that she was banished from Soweto in 1976, at the time of the students' uprising that left more than 600 people dead, her acclamation as "mother of the nation" seemed justified. She was

under banning orders, but she treated these orders with contempt, and time and again was hauled into court charged with contraventions.

Policemen made careers out of keeping watch on her, interfering with her mail, raiding her home, harassing her employers and obstructing her six-monthly visits to her husband on Robben Island. She is reputed to have seriously injured a policeman who burst into her bedroom while she was dressing. Often she was alone, having sent her daughters, Zenani and Zinzi, to boarding school in Swaziland.

From May 1969, she was held in solitary confinement for 17 months, charged under the Terrorism Act with being a communist, and on acquittal she was served with a new banning order that included house arrest. In 1974 she spent another six months in jail for breaking the order.

When it expired in 1975 she became politically active again, helping to form the Black Women's Federation which became the Black Parents' Association during the 1976 uprising. The association was intended to assist victims



Winnie Mandela leads the Mandela United Football Club at the funeral of Frank Makwe, one of its members, in February 1989. The team, which never played a match, acted as her bodyguards and brought her into dispute with mainstream anti-apartheid activists

of police action with legal and medical help and helped to arrange activists' funerals.

Early in 1977, Mrs Mandela was banished to the remote township of Phakahlile outside Brandfort, in the Orange Free State. She returned to Soweto in 1983, again in open

defiance of the authorities, but many consider it was these nine years of exile that drastically changed her.

She became the focus of mass adulation and, judging from her lifestyle, loss of money. A £125,000 mansion was built in Soweto and she surrounded herself with a bodyguard of young thugs known as the Mandela United Football Club, although they never played a match. Their activities brought her into conflict with the United Democratic Front, then the internal arm of the still-outlawed African National Congress, and the Congress of South African Trade Unions.

In 1989 she was excommunicated from "the liberation struggle". She came out openly in favour of the dreadful "necklacing" of supposed collaborators, declaring at an anti-government rally: "With our boxes of matches and our

necklaces we shall liberate this country."

In 1990, after Mr Mandela's release, he refused to move into the Soweto mansion. The following year she went on trial, accused of kidnapping and involvement in assault over the 1989 abduction by members of her bodyguard of four youths. One was "Stompie" Moeketsi Seipei, who was murdered. Mrs Mandela was sentenced to six years in prison, later reduced to a fine.

In April 1992, Mr Mandela announced their separation "for personal reasons". He was, as he remains, married to the struggle, and her appointment as a deputy minister in the Government of National Unity was only another manifestation of his attempts to solve personal problems through political solutions.

R. W. Johnson, page 16  
Leading article, page 17

## Sacking unlikely to force ANC split

BY OUR FOREIGN STAFF

DESPITE the fears of some members of the African National Congress that the populist Winnie Mandela might try to split the party, analysts said yesterday that she was unlikely to try to strike out politically on her own.

David Welsh, a political scientist at the University of Cape Town, said: "I can't say it's not going to cause a ripple. But given that Nelson Mandela is putting his prestige on the line, I doubt she's going to be in a position to threaten the ANC mainstream."

Eugene Nyadi, a political scientist, pointed out that President Mandela had not tried to remove his estranged

wife from her post as president of the ANC Women's League. "The President ... did not want to alienate her ... I somehow suspect her reaction will be measured," he said.

Harry Gwala, the ANC's senior KwaZulu/Natal regional official and one of Mrs Mandela's radical allies in the ANC, said that her dismissal was "very unfortunate". She gained the fifth highest number of votes at an ANC national congress election last December. The party is now campaigning for local government elections to be held throughout the country on November 1.

## Amnesty plea for Brazil's children

FROM GABRIELLA CAMINI IN RIO DE JANEIRO

FOR most citizens of Suzano, an industrial town outside São Paulo, the sound of gunshots is not unusual. Violence is rife in the area and even the murder of three teenage boys by a "death squad" recently was seen as part of daily life.

Five "street children" had been talking on a street corner outside a disused warehouse shortly after midnight when six men, claiming to be policemen, approached them pointing their revolvers. When the boys started running the gunmen fired, killing one instantly before catching two others and shooting them. The remaining two, aged 13 and 14, escaped.

This is just one of the 600 cases of human rights violations that Pierre Sané, the secretary-general of Amnesty International, will raise when he meets President Cardoso in Brasília today.

The Government has promised reforms and is keen to change Brazil's image. He will be under increasing pressure to tackle widespread violence against "street children" and other abuses allegedly committed by members of the military police in slum areas.

Official figures show that at least 1,500 people were shot dead in the streets of São Paulo, Recife and Rio in the past year. At least 400 were street children. The meeting with Mr Sané will also highlight the need to bring the killers to justice. Only two of the six men named by the surviving children in Suzano have been arrested.

They belong to one of many "death squads" or "justiceiros", made up mainly of off-duty policemen or former officers working as hired killers for businessmen who feel that the sight of poor children and petty thieves is not good for trade.



Nelson and Winnie Mandela on their wedding day in May 1958, and "Stompie" Seipei, who was murdered by members of the Mandela football team in 1988



## NEWS IN BRIEF

## Baseball strikers join talks

Washington: Desperate efforts were launched yesterday to end the eight-month-old baseball strike and save the 1995 season due to begin on Sunday (Martin Fletcher writes).

The National Labour Relations Board began seeking an injunction that would force baseball club owners to restore certain conditions of employment the striking players previously enjoyed, and in New York last night owners' and players' representatives resumed negotiations for the first time in 23 days.

## Rwanda aid

Britain is to give a further £8.8 million in aid to Rwanda, Baroness Chalker, the Minister for Overseas Development, said in Geneva after UN talks, bringing the total to \$89 million since last April.

## Five beheaded

Dubai: Saudi Arabia has beheaded five people, one of them a woman who ran a brothel. The men were a Saudi murderer, two Pakistanis and an Afghan, the Interior Ministry said. (Reuters)

## Bolshoi turmoil

Moscow: The troubles of Russia's Bolshoi Theatre continued as the head of its opera company and its chief designer both resigned. They were allies of Yuri Grigorovich, the former artistic director.

## Director shot

Tunis: Suspected Muslim rebels shot dead the director-general of Algeria's leading government-controlled newspaper *El Moudjahid* as he headed for work in the capital, Algiers. (Reuters)

## Filling a need

Melbourne: A telephone counselling service to help dentists to cope with increased stress from money worries and nervous patients has been set up in the Australian state of Victoria. (Reuters)

## Cool welcome for Yeltsin on early campaign tour

FROM RICHARD BEESTON IN RYAZAN

PRESIDENT YELTSIN arrived in Ryazan, south of Moscow, yesterday on a working holiday intended to bolster his flagging popularity and lay the groundwork for his re-election campaign.

In his most public appearance since he ordered the unpopular war in Chechnya nearly four months ago, the Russian leader met local dignitaries, workers and professionals in a clear attempt to repair his dented image.

The city of half a million people laid on a communist-era welcome for him, cleaning up the streets, painting fences and buildings and sprucing up Ryazan's tired appearance. However, there appeared little enthusiasm for Mr Yeltsin whose credibility here is in tatters. While insisting that he had not yet put himself forward as a candidate for next year's presidential election, the first stop of his train trip across southern Russia has left little doubt among his closest aides that his re-election campaign has begun.

Last Friday the Duma, the Lower House of parliament,

passed a new election law for the polls next June, and other candidates, including Mikhail Gorbachev, the former Soviet leader, have announced their intentions to run.

The task Mr Yeltsin set himself, however, may prove too great as Russia's political

Serzhent Yurt: Russian aircraft bombed buildings packed with refugees from Chechnya in this Russian village yesterday, killing several people, witnesses said. Four planes attacked a former holiday camp on the outskirts, destroying a number of small houses. The refugees included many children. (AFP)

turmoil, economic problems and the aftermath of the war in the Caucasus have eroded his support to dangerous levels. An opinion poll released on Sunday by the respected current affairs programme *Izvestiya* showed that 78 per cent of Russians distrust the President and that only 6 per cent

have faith in his leadership. The scale of his unpopularity was evident yesterday. Behind the motorcades and official greetings, the President's visit went unnoticed by the majority of citizens.

The Russian leader, at times looking unsteady, told reporters that he was determined to solve Russia's two biggest problems, the rampant rise of organised crime and the flagging economy. However, in the last election, Ryazan voted heavily in favour of Vladimir Zhirinovskiy, the ultra-nationalist leader.

□ Poll victories: The vast majority of Moldavia's breakaway Dnestr region wants Russia's 14th Army to stay in the area, according to results of a referendum announced yesterday by the election commission. The poll was regarded as illegal by Moldavia. Voters in Uzbekistan have unanimously supported President Karimov extending his leadership until 2000, according to state radio. It said that virtually all the republic's 11 million voters had taken part in the referendum. (Reuters)

## Nato airstrikes threatened in tough new stand on Bosnia

BY MICHAEL BINYON, DIPLOMATIC EDITOR

THE five-nation Contact Group issued a warning yesterday that the situation in Bosnia is deteriorating and called on the three warring factions to respect and extend the present ceasefire.

The group, meeting in London, also dashed any Serb hopes that the five powers - America, Russia, Britain, France and Germany - would modify their peace plans, insisting that all negotiations had to be on the basis of the two plans now on the table.

The six-hour meeting came as the United Nations announced in Sarajevo, the Bosnian capital, that it was ready to ask for Nato airstrikes against Bosnian Serb artillery targeting civilians in UN "safe

areas". A spokesman for Lieutenant-General Rupert Smith, the UN commander, said attacks from outside a safe area would meet a "resolute response", including airstrikes.

His statement signalled a much tougher stance by the UN. A spokesman said it had been co-ordinated with Nato countries, including those contributing peacekeeping troops.

The Contact Group reaffirmed its own cohesion and solidarity, rejecting rumours of splits and suggestions that Russia would propose a new plan more favourable to the Serbs. With increasingly gloomy prospects for a continuation of the ceasefire, the group insisted it would proceed with negotiations with all

parties to achieve acceptance of its peace plan.

All the senior officials at the meeting expressed deep concern at the ceasefire violations and the recent Bosnian government offensive. Their meeting, said to be "constructive and sober", came as more and more allied governments seriously consider the withdrawal of their peacekeeping forces from Bosnia should the ceasefire break down or not be renewed next month.

Lord Owen, the European Union's peace negotiator in former Yugoslavia, said earlier that unless peace talks began soon, another bitter war could break out which the United Nations would be powerless to restrain.

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# Former head of Gucci dynasty is shot dead in Milan

BY JOHN PHILLIPS IN ROME AND OUR FOREIGN STAFF

**MAURIZIO GUCCI**, the former chairman of the Gucci leather goods and fashion dynasty, was shot dead in his office in Milan yesterday.

Police said that a well-dressed man in his thirties, wearing a dark suit and tie, was shot with a handgun at about 9am. The man fired two shots from behind, hitting Signor Gucci in the shoulder and buttocks. When his victim turned round, the gunman shot him twice in the face. A guard at the building, on Via Palestro in central Milan, was hit in the shoulder but was not seriously injured. The killer escaped in a waiting car driven by an accomplice.

Police said they now believe the killing, originally thought to be the work of a professional hit man, was carried out by an amateur because the first two shots were not fatal. They said that the motive was not immediately clear, adding that employees of Signor Gucci's firm knew of no threats or extortion attempts against his boss.

Maurizio Gucci was the last grandson of the firm's founder, Guccio Gucci, to be involved with the company whose products became a byword for casual elegance and also brand consumption. He sold his 50 per cent stake in the business to the London-based Arab investment bank Investcorp for a sum reported

to be between \$150 million (£100 million) and \$200 million in 1993 after an acrimonious boardroom battle, and gave up the chairmanship.

His cousins — Roberto, Paolo and Giorgio — sold their half to Investcorp in 1987 after an internal feud that had earned the Florentine family comparisons with the medieval Medici dynasty. The death of Maurizio is a blow, but I would like to emphasise that relations between Maurizio and the Gucci company ended in 1993, a company spokeswoman in Milan said.

The killing stunned the smart world of Italian fashion. "I am deeply upset," said Renato Balestra, a leading couturier. "Maurizio Gucci was one of the leading exponents of 'Made in Italy'." Gucci



Gucci sold his share of the business in 1993

is an example of a firm that became an empire from nothing and made Italian fashion known around the world.

Stefano Dominella, a former Gucci employee, recalled how Maurizio wore Gucci suits and shoes. "Not knowing the reason for him being killed, I can only say that he was a very successful man," he said.

Signor Gucci's residence, a villa in the hills outside Milan, had recently set up his own company, Viceré, at the office where he was killed. His companion, Paola, rushed to the scene in tears after learning of his death on the radio, witnesses said.

The Gucci empire, whose red and green motif and linked GG logo appeared on thousands of products, grew into a jet-setters' favourite from its humble origins in 1906 at a saddlery shop in Florence. Customers for its shoes, luggage and fashion goods included film stars such as Elizabeth Taylor and Grace Kelly, later Princess Grace of Monaco.

Guccio Gucci was a former waiter at the Savoy Hotel in London, where he studied the tastes of the rich and famous before returning to Italy to make leather goods of fine craftsmanship that he sold to the local aristocracy. The company expanded to Rome and

Milan and then went international after the Second World War, opening shops in the fashion centres of Paris, New York and London.

Guccio Gucci died in 1953 leaving two sons, Rodolfo and Aldo, to run the business. They were soon at each other's throats. Rodolfo entered the business in the 1970s after he gave up as

Paula, Maurizio Gucci's companion, is seen in a photo with her son, Maurizio, in 1993. Police believe the killing was carried out by an amateur.

## Baghdad brands US pair as saboteurs

FROM MICHAEL THEODOULOU IN NICOSIA AND MARTIN FLETCHER IN WASHINGTON

IRAQ yesterday accused two Americans jailed for eight years after crossing the border from Kuwait of being military experts on a sabotage mission. However, the officials, who are keen to blunt Washington's drive to maintain crippling trade sanctions, hinted that the men could be freed on humanitarian grounds.

The possibility was raised as Baghdad's efforts to lift the four-year-old embargo suffered a setback when the United Nations official in charge of disarming Iraq said "considerable" questions remained over its biological warfare capab-

ility. Saadi Mehdi Saleh, Iraq's parliamentary speaker, claimed the men had been sent to provoke Baghdad into action that would help Washington to prolong the embargo. Sabotage or espionage could have resulted in the death sentence or prison terms for life, he said.

"The humanitarian does not stand to them yet," said Mr Saleh in the first comment from an Iraqi official since David Dalibert, 48, was arrested in Baghdad, 39, were tried and sentenced by a criminal court on Saturday. He described the two men, who were working in

Kuwait as civilian scientists, as "military experts". Baghdad "will not release them until they have been cleared of all charges", he said.

Mr White House said the two men were "not saboteurs" and that they were "not working in Iraq".

Lieutenant Colonel Robert Stoen, a spokesman for the US State Department, said the two men were "not saboteurs" and that they were "not working in Iraq".

## Fighting spreads as Turks talk of

...the fighting in the Balkans has spread to the Turkish border. Turkish officials say that they are preparing for a possible invasion of the country by the Albanians. The fighting in the Balkans has been going on for several weeks now, and it is feared that it will soon spread to the Turkish border. Turkish officials say that they are preparing for a possible invasion of the country by the Albanians. The fighting in the Balkans has been going on for several weeks now, and it is feared that it will soon spread to the Turkish border. Turkish officials say that they are preparing for a possible invasion of the country by the Albanians.

## Hillary Clinton film has critics

...Hillary Clinton's new film, 'The First Lady', has been criticised by some people. They say that it is too much like a biography and that it does not show enough of her personality. However, many people like the film and think that it is a good introduction to her life. The film is based on her autobiography, 'The First Lady', and it shows her life from her childhood to her marriage to Bill Clinton. It is a very interesting film and it is well worth watching. The film is available on video and on DVD. It is a good introduction to her life and it is well worth watching.

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### Searcher mission to Peking

...the search for the missing Chinese ship, the *Yan Hai*, has been a major mission for the Chinese government. The ship was last seen in the South China Sea in 1991. The Chinese government has been searching for the ship ever since. The mission is led by a team of experts who are trying to find the ship and its crew. The mission is very important for the Chinese government because it is a national symbol. The ship was built in China and it was the first Chinese ship to be built in the South China Sea. The mission is very difficult because the ship is very old and it is very hard to find. The Chinese government has been searching for the ship for a long time and it is still searching for it. The mission is very important for the Chinese government because it is a national symbol. The ship was built in China and it was the first Chinese ship to be built in the South China Sea. The mission is very difficult because the ship is very old and it is very hard to find. The Chinese government has been searching for the ship for a long time and it is still searching for it.

### Food shortage threat

...the threat of a food shortage in the Balkans has been a major concern for the international community. The Balkans is a region that is very poor and it is very hard to find food. The threat of a food shortage is very real and it is very dangerous. The international community has been trying to help the Balkans but it is still very poor. The threat of a food shortage is very real and it is very dangerous. The international community has been trying to help the Balkans but it is still very poor.

### Snoring Problems?

...the problem of snoring is a very common problem and it is very hard to find a solution. The problem of snoring is very common and it is very hard to find a solution. The problem of snoring is very common and it is very hard to find a solution. The problem of snoring is very common and it is very hard to find a solution. The problem of snoring is very common and it is very hard to find a solution.



# Canada accused of piracy by EU after trawler net is cut

By RICHARD CLEROUX IN OTTAWA, JAMES BONE IN NEW YORK AND GEORGE BROCK

CANADA stoked the simmering fisheries dispute with the European Union yesterday by cutting a Spanish trawler's nets and trying to board two other fishing vessels in the North Atlantic.

The EU, accusing Canada of international piracy, immediately lodged a protest. Further trouble loomed as Spanish fishermen, forced on Sunday to leave the disputed fishing grounds off the coast of Newfoundland, said they were heading back to the area.

In Madrid, Javier Solana, Spain's Foreign Minister, summoned the Canadian Ambassador to protest, while in Brussels, Spain urged its EU partners to agree trade sanctions against Canada. In New York, the two sides yesterday took their dispute to the United Nations for talks on a new international fisheries regime.

Brian Tobin, Canada's Fisheries Minister, said that Canada would continue to board

fishing trawlers and cut fishing nets in the area off the Grand Banks of Newfoundland to protect depleted stocks of Greenland halibut.

Mr Tobin spoke before the United Nations High Seas Conference. He told the conference that Canada took "no pride in unilateral measures" and did so "only when all other measures had failed".

Early yesterday, a Canadian patrol vessel cut the net of a Spanish trawler, *Pescamora Uno*, using a new tungsten blade cutter produced by a fisheries research institute in Canada. It was the first time the device had been used.

Spanish fishermen sought refuge near the *Vigia*, a Spanish navy ship on the edge of the disputed fishing ground, before returning to the area. "There is no way we are going to give up fishing in these waters," José Rodríguez, a trawler captain, said.

The action provoked an

immediate reaction from Emma Bonino, the European Fisheries Commissioner. "You are using force illegally. It is an act of piracy," she said in a television interview broadcast in Canada. "You have been the pirates inside your own zone and now you are trying to make the European Union the scapegoat. Either we abide by international law or it will be the law of the jungle."

Mr Tobin said Mrs Bonino had failed to answer to charges that Spanish trawlers were catching undersized fish. Canada claims that stocks of Greenland halibut are endangered.

British inspectors commissioned by Brussels have inspected the Spanish trawler *Estai*, seized on March 9, at its home port of Vigo. Sir Leon Brittan, the Commissioner in charge of relations with Canada, said yesterday that the inspectors had found no evidence of breaches of the rules.

## Fish wars dominate history of ex-colony

By RICHARD CLEROUX

THE passionate dispute over fishing rights is rooted in the history of Newfoundland. It reflects the hardened outlook of an isolated community which depends for its livelihood on the dwindling fish stocks in the North Atlantic.

The Spaniards have been coming to Newfoundland's shores for 600 years for valuable catches of cod, turbot and halibut. An English expedition in 1497 found that they only had to lower baskets, not nets, to scoop up fish.

Spain, England and France all fought over the fisheries. Eventually, England won and set up the colony of Newfoundland. For the next 400 years English influence and economy prevailed and a flourishing trade was set up with the Caribbean colonies.

However, poverty prevailed and in 1949 Newfoundland reluctantly became the tenth province of Canada after two referendums. Forty-six years later it is still Canada's poorest province and has the highest unemployment rate. The worst blow in Newfoundland history came three years ago when the northern cod stocks disappeared and a two-year moratorium was imposed to let the cod replenish themselves.



Harbour Mille on Avalon peninsula in southeast Newfoundland is one of the province's threatened ports

Last year it became apparent to marine scientists that the cod was not coming back and the moratorium might have to continue indefinitely. The yellowtail and flounder also disappeared and had to

be protected under moratoriums. More than 40,000 fishery workers were put out of work by the measures and compensated by the Government at a cost of about Can\$1,000 million (£430 million) a year.

Newfoundlanders blamed foreign fishing fleets, particularly the Spanish and Portuguese, for ravaging the North Atlantic ground fish stocks

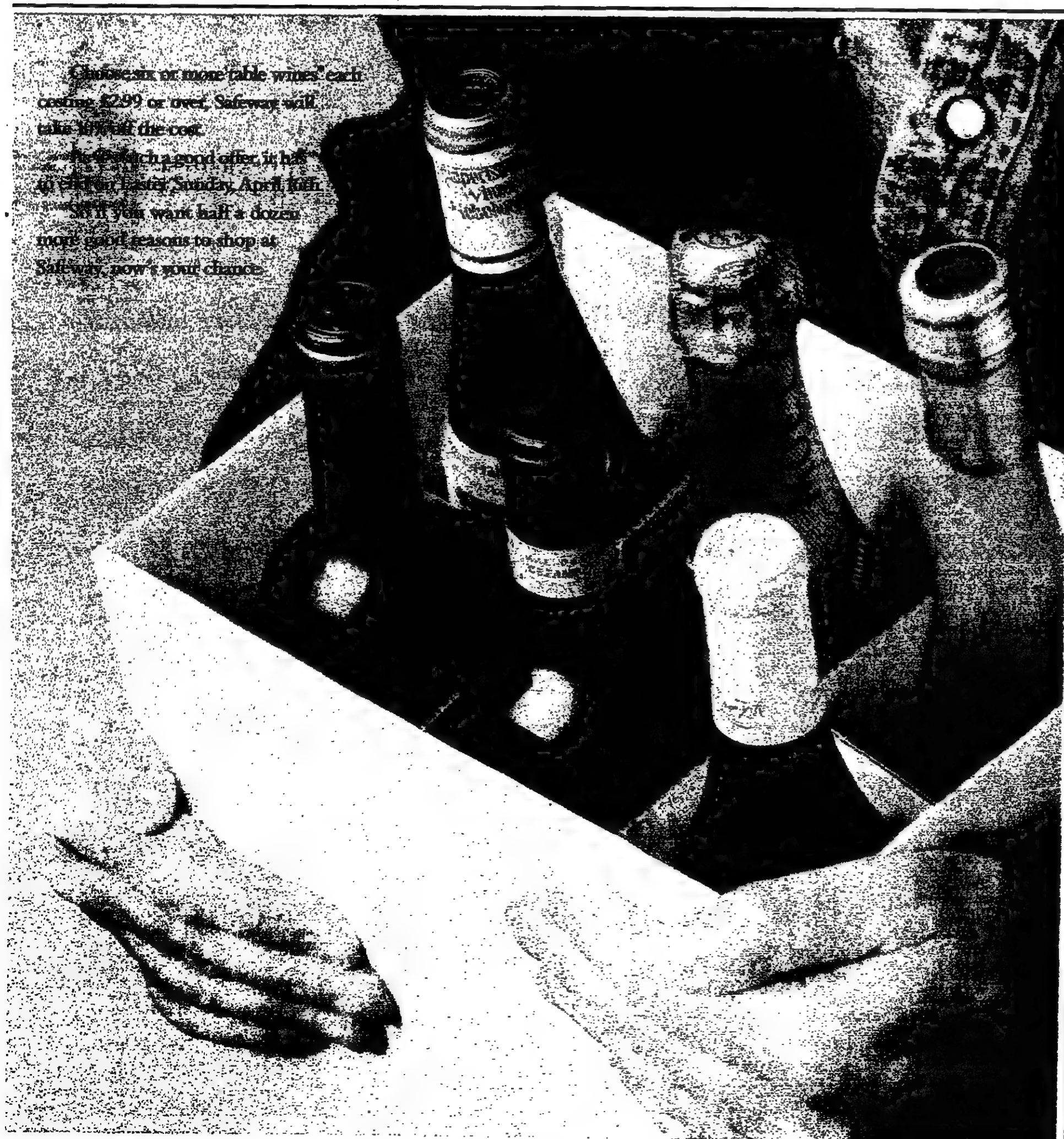
during the past 20 years, although Canadians had also over-fished the Grand Banks.

Part of the anger is due to the fact that modern diesel-powered super-trawlers use giant nets attached to huge steel cables large enough to scoop up a dozen airliners. The fishing boats use satellites to spot schools of fish and can locate them within a margin of error of less than

100 yards. They then use digital sonar that is so accurate it can identify the species. Against these odds the fish have no chance and this is what frightens the Newfoundlanders the most. They believe that unless action is taken leading to binding laws, there will be no fish for anyone and no life on Newfoundland.

Leading article, page 17

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## Police break up Bronx cockfight

FROM JAMES BONE IN NEW YORK

ALMOST 300 people have been arrested in New York as a result of a raid on a cockfighting championship. Scores of bloodied birds, specially crossbred for aggression and primed to fight with muscle-building steroids and painkillers, were found.

Armed police crashed into a converted cinema in the South Bronx on Saturday night and broke up what the American Society for the Prevention of Cruelty to Animals (ASPCA) described as "the Super Bowl of cockfighting". At the scene was a 2ft trophy of a silver cock to be awarded for "The Fastest Fight".

Cockfighting is outlawed in America, but has a devoted following among the country's Hispanic immigrants. Tens of thousands of dollars are wagered at cockfighting contests, making it a lucrative endeavour for promoters willing to risk trouble with the law.

The organisers of the championship in the Bronx, which opened the annual March-to-August cockfighting season, had taken elaborate precautions to avoid being caught. Moveable walls had been built and a fake boxing ring installed to make it seem that a boxing match was under way if there were a raid.

Police and ASPCA officers broke in just as the walls were being moved into place and

found hundreds of spectators who had paid \$20 (£12.50) each for admission, drinks and, bizarrely, a menu of roast chicken. In all, 286 people were arrested for cruelty to animals, a misdemeanor which could earn a year in jail and a \$1,000 fine.

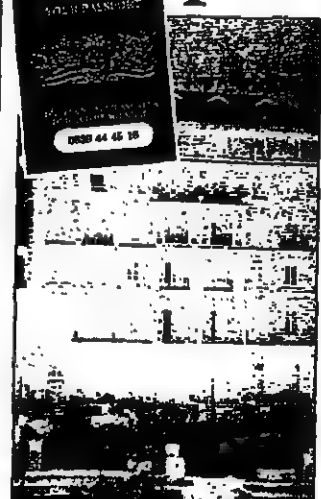
Seven other people, including the alleged ringleader, were charged with the criminal offence of organising a cockfight, which carries a maximum sentence of four years in prison.

About 20 cocks had already died in the night-fighting, in which birds claw each other with razor-sharp metal spurs attached to their legs. Another 90 birds were found alive.

To prepare the birds for the fight, many of them had been injected with the pain-killing drug PCP, known on the streets as "angel dust". Although the birds have a street value of up to \$10,000 each, the ASPCA intends to destroy all those found alive because they are unmanageable.

"Most of civilisation has come to realise this cruelty is no longer acceptable," said John Foran, chief administrative officer of the ASPCA. "These animals experience a great deal of pain. They literally rip each other apart. It's a blood sport and a barbaric practice that has to be brought to an end."

## THE TIMES Don't forget your passport



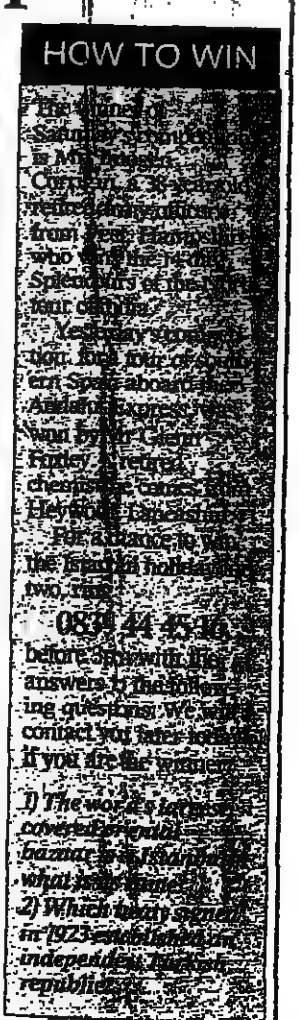
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حكايا من الماضي







The tea that Britain used to drink may help to fend off heart disease and some cancers, according to a recent study. **Dr Thomas Stuttford reports**

A CUP of green tea made from jasmine or green gunpowder leaves may be life-saving as well as cheering. Recent research from Japan, reported in the *British Medical Journal*, has analysed the effect of green tea drinking on 1,371 men who live in Yoshimi; it found that the portents for reduction in the incidence of coronary heart disease and cardiovascular diseases in general were good. Other blood tests suggest that green tea drinking improves liver function and thereby may provide some protection against cancers of the liver, colon and lungs.

Drinking the semi-fermented green tea — China tea — still seems rather effete; Tony Benn and Dennis Skinner are famed tea drinkers but their com-

rades at their next branch meeting would be surprised if they asked for something so exotic. It is served without milk or sugar in a dilute form, and is usually constantly topped up with hot water.

In fact the traditional cup of tea, thick with milk and sugar, became part of the British way of life only after 1839; before then Chinese green tea had held a virtual monopoly. From that date the Treasury, anxious to encourage colonial trade, allowed Indian black tea into the country duty-free, a privilege extended to Ceylon tea in 1879. Although the worst of the tea

taxes had been removed by William Pitt in 1784, it was this imperial preference which caused the gradual eclipse of green tea drinking. Since the Second World War, when green tea was unavailable, its drinking has again been gaining in popularity.

Green tea devotees have always claimed that it is not only refreshing and a help to the digestion but also has other medicinal properties with a longer-term advantage. Science has

now shown that they may be right.

Animal experiments have provided support for the opinion that one of the constituents of green tea leaves, the catechins, have an anti-carcinogenic action in animals, albeit that this has not yet been shown in humans. Rats which are fed green tea leaves have a remarkably low level of plasma cholesterol and serum triglycerides, the two blood fats which are routinely measured at human

medical examinations and which act as important pointers to the likelihood of developing heart disease. In rats it has also been found that the proportion of the cholesterol which is high-density lipoprotein — the so-called good cholesterol — increases. In assessing the chance of developing coronary atherosclerosis, the amount of low-density cholesterol — the more pernicious form — is particularly important.

The Japanese study suggests that Yoshimi men respond every bit as well to green tea as the laboratory rats. In-

creased consumption of green tea was followed by decreased levels of serum cholesterol with an increased percentage of high-density lipoprotein and a reduction in the low-density lipoprotein.

The blood tests also suggest that green tea could be as beneficial to human as to rat livers, and might therefore also be protective against some forms of cancer, especially those which are associated with high levels of body iron.

Further work is needed to confirm these findings, but they look encouraging. Sam Twining, who is the ninth generation of his family to work as a tea merchant, needs no encouragement. He says that he has always found green tea wonderfully refreshing and that the trick to enjoying it is to drink it very weak.

## Refreshing oriental secret of long life



## When artificial joints suffer wear and tear

Surgeons now have more than 30 years' experience of joint replacement operations, and carry out more than a million worldwide every year. Yet little is known about the long-term effects of metal implants in the human body. Most early recipients died before their prosthesis wore out, but patients are now often younger than they used to be, so the replacements themselves need to be replaced — or revised — at a later date.

One of the most common problems these patients encounter is the gradual loosening of the metal and plastic joint within its natural bone surroundings because of corrosion of the prosthesis. With this wear and tear comes the production of tiny bits of metal and plastic debris.

Until very recently, surgeons have looked for — and found — such debris only in the immediate vicinity of the joint. Now a multidisciplinary team of doctors, engineers and scientists based at Bristol University (known as the Bristol Wear Debris Team) has established that there is widespread dissemination of metal

**Plastic and metal can replace our bones, but are there long-run dangers?**  
**Dr Abi Berger reports**

debris from implants. It can be detected not only in local lymph nodes, but also in more distant sites such as bone marrow, the spleen and the liver.

Their study, published recently in the *Journal of Bone and Joint Surgery*, involved post-mortem examinations of 20 people. Thirteen had been given metal orthopaedic implants; the other seven had never received implants and were used as the control group. Those whose metal joints showed obvious wear were found to have the highest level of metal debris in their organs.

Those with prostheses but no obvious wear and tear had

lower levels. The control group also had some metal in their tissues, but it was in their lungs and was considered the result of environmental pollution.

What effect does the debris have on these organs? Dr Patrick Case, lecturer in histopathology, said: "The material which has travelled to these organs may be biologically inert. The next step is to perform detailed examinations to see whether there are any changes to the tissue of the organs in which it collects."

"Some researchers have suggested that the wear debris might — under certain circumstances — cause local loosening of the implant itself, by the production of enzymes and cytokines. Our team is exploring whether this same debris has any effects in other more distant sites such as the spleen and liver. So far there is no direct association between wear debris and the development of disease later on."

According to Ian Learmonth, Professor of Orthopaedic Surgery at Bristol University: "Most materials that have been developed in recent years for use on prostheses have been tested for bio-acceptability in bulk form. Very little is known about the in vivo effects of tiny fragmented particles of these materials."

The implications are important not just for orthopaedic surgery, but also for all other spheres of surgery, including dentistry, in which metal instrumentation or implants are used.

The Bristol team includes surgeons, pathologists, haematologists and geologists — all of whom bring to the group their expertise and newly developed technology from their individual fields.

The knowledge gained through such close collaboration is far greater than could have been obtained by the same scientists working alone.

For example, by adopting geologists' techniques for metal detection, the pathologists have been able to trace in detail where the metal debris has ended up in the body.



X-ray of an artificial hip: tiny fragments can travel far



Dr John Wyatt uses his infra-red brain scanner to check two-day-old Sally Agombar, who was born prematurely

## A safer way to be born

**Jeremy Laurance reports on a new technique for maintaining oxygen levels during and after birth**

Doctors are fond of observing how tough babies have to be to survive

birth. During a normal labour the head is crushed, the chest squeezed and the baby's life-line, the placenta, is throttled. Most come through the experience unscathed. But 1,000 infants a year suffer lasting brain damage caused by oxygen deprivation, and thousands more are affected in lesser ways.

Detecting which babies are in distress and acting to help them before the damage is done is a hit and miss affair which depends on the experience and judgment of the obstetrician. But scientists at University College Hospital, London, have made a discovery which they believe could transform the care of vulnerable babies.

Using an infra-red scanner that has been adapted from military use, doctors at the hospital are for the first time able to monitor directly the level of oxygen in the brain during and after birth.

Any restriction in the blood flow to the brain, cutting off its oxygen supply, causes damage within minutes. The damage had been thought to be irreversible, but studies by the University College team suggest that there is a "window" of up to 24 hours during which the effects of oxygen starvation may be treatable.

Dr John Wyatt, consultant neonatologist who is leading the research, says: "It turns out that in a completely normal healthy labour, oxygen levels can fall incredibly low. A quarter of the blood in the brain changes with each con-

traction. It is like being throttled. Very rapid contractions seem worse than ones that come at regular intervals. The placenta only works between contractions so if the contractions are coming very rapidly it can't keep up and the oxygen level keeps falling."

Until now, obstetricians have had to rely on foetal heart-rate monitors, attached to the baby's head while still inside the womb, to detect signs of distress during birth. However, the heart may continue to beat normally when

**'Unfortunately the foetal heart-rate monitor is an unreliable instrument'**

oxygen levels are low or start to race when there is no shortage of oxygen. "A lot of unnecessary Caesareans have been done because the foetal heart-rate monitor is an unreliable instrument," Dr Wyatt says.

By attaching optical fibres from the infra-red scanner to the baby's scalp at the start of labour doctors can get a direct reading of the oxygen levels. They are also examining the

possibility of implanting a device with a transmitter into the womb in the final weeks of pregnancy to monitor the level in vulnerable babies and give obstetricians a clearer signal of when labour should start.

University College Hospital is leading the world in research on the infra-red scanner. The birth of a severely damaged baby is a catastrophe for the parents and the doctors. The cost of care and support over a lifetime may run into millions of pounds. A test and a treatment that reduced this toll would have immense implications.

Dr Wyatt, whose work is part-funded by the medical charity Action Research, believes the scanner will become a clinical tool within five years. It will also help to answer the question of whether less severe oxygen deprivation during birth is associated with intellectual impairment later on.

"The received wisdom is that oxygen deprivation either wrecks you or does no damage at all. I find that hard to believe. I think many subtle abnormalities may be due to events around birth," he says. "Until you have got the necessary instruments you can't say whether difficulty with maths at age five is linked with a shortage of oxygen at birth."

Fluctuations in the level of oxygen in the blood continue after birth especially in premature babies whose lungs are underdeveloped. The scanner can be used to monitor the level and help to improve techniques of intensive care. The aim is to minimise the fluctuations and maximise the chances of normal development.

The team has also directly examined the effects of oxygen deprivation on the cells in the brain using a technique called nuclear magnetic resonance spectroscopy to detect the level of a chemical, adenosine triphosphate (ATP).

ATP is the fuel supply of the cells, made by burning oxygen. When cells run out of ATP they die, causing brain damage. Cell death is triggered by shortage of oxygen, but Dr Wyatt and his team have discovered that there is a delay before it takes effect.

The most exciting thing we have found is that energy failure does not happen immediately. We think that starving the brain of oxygen during labour triggers a cascade of reactions which take 24 hours to kill the cells. We are very excited because it implies there is a window of opportunity of a

few hours after the brain has been starved of oxygen during which we could intervene to prevent damage occurring."

Once the baby is born the oxygen supply is restored within minutes but by then it is too late. "The problem is that once the cascade is triggered you just have to stand by the bedside and watch the damage happen."

Drug companies are working on a list of possible agents that could be used to halt the process. But Dr Wyatt and his team believe the remedy could

be simpler: cooling the brain appears to switch off the cascade.

"The temperature only needs to come down by a few degrees. We have found that the brain is exquisitely temperature sensitive. Cooling the brain is much less likely to have catastrophic side-effects than giving drugs. It is the most promising line of treatment we have at the moment."

The findings could herald new treatments for brain damage caused by oxygen deprivation, not just for babies but for adults too. Cooling the brain may turn out to improve the outlook for sufferers from strokes and for accident victims.

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حکومت پاکستان



As the awards debris is cleared away, **Giles Whittell** lists the nominees for another category — best celebrity party host

## And the Oscar winner is...

**A**t last night's Oscars the busiest man in Hollywood was a workaholic Austrian immigrant who has managed to endear himself to the American film industry without losing his thick Germanic accent. He has also helped to enlarge thousands of pampered Californian torsos, and he is not Arnold Schwarzenegger.

As it happens, celebrity chef Wolfgang Puck knows his hulking compatriot well. Schwarzenegger is a regular at Spago, Puck's pizzeria-to-the-stars on Sunset Boulevard. But whereas Arnie travelled to and from the Oscars by limousine, Wolfgang chartered a helicopter. ("We went for a six-seater because I'm scared of the little ones," he gabbles, sipping cappuccino under an Andy Warhol triptych called *Sunset* as Spago's flowers are arranged around him. "You know, witz ze glass bubble in front where you can see down between your legs? I hate zat.")

The chatter, he explains, was his only guarantee of swift passage from Spago to the Shrine Auditorium and back without getting caught in the limo-lock that inevitably fills streets and frays tempers on the night of a thousand stars.

Delay was the one thing Mr Puck could not afford. He was aiming to make Oscar history by providing

the food and drink for the Governors' Ball — the televised mingle immediately after the awards are handed out — and throwing what he hoped would be the evening's most talked-about private party.

Competition is fierce. A new era in Oscar night hospitality dawned last year with the death of Irving "Swifty" Lazar, the agent and socialite who for decades held the evening's most prestigious knees-up. In those days Spago was the venue, but Swifty was the host and Puck merely the restaurateur. Now, as the millionaire owner of four fashionable joints in LA, San Francisco and Las Vegas, Puck has himself crossed the line from Hollywood professional to Hollywood host — only to find that the battles for star guests have become as hard-fought as those for Oscars.

Victor Drai, a former producer, was giving a party for the cast of *Forrest Gump* at his modestly-named Drai's restaurant in Beverly Hills, saying: "I'm going to have a party. It's got to be the biggest." Chasen's, a legendary haunt of film moguls in West Hollywood, had first call on John Travolta and director Quentin Tarantino as it played host to Miramax distributor of *Pulp Fiction*. And *Vanity Fair* magazine promised to mix the crème of both coasts (Jodie Foster and former presidential press sec-



Having crossed the line from restaurateur to host, Wolfgang Puck — seen here with Jackie Collins — finds the battle for star guests as hard-fought as that for Oscars

retary Dee Dee Myers, for example) at Morton's. Elton John's guests for his \$250-a-head dinner at the Four Seasons Hotel were raising money for the good cause of AIDS research. But Puck believes he has a good cause behind him, too: that of good food.

The bubbly Tyrolean in the chef's smock and wooden clogs is the unlikely but undisputed supreme of Californian cuisine. In fact, if he

didn't actually invent it he certainly rescued it from oxymoron, with such now-famous specialties as smoked salmon pizza, potato galette with smoked surgon and Mongolian lamb chops marinated in honey, ginger and garlic, all of which were served by 300 waiters to the 1,700 guests at the Governors' Ball.

Puck learnt classic French cuisine at Maxim's in Paris, but

allowed it to mutate under the influence of local tastes and his own sometimes bizarre imagination as he moved to New York in 1973, and Los Angeles two years later. Ideas like guacamole pizza, roast salmon with horseradish and ahi tuna with sea urchin sauce did not come to him in his sleep. "I really thought about it. You are here sometimes in January and it's 80 degrees, and you have to think

hard about what will be right." Hence Spago's "power-pizzas" and, at his neo-Chinese restaurant in Santa Monica, Peking duck and Shanghai lobster with pickled ginger — a favourite of Bruce Springsteen's. Besides Springsteen and Schwarzenegger, his regulars include Jack Nicholson, Elizabeth Taylor, Tom Hanks, Eddie Murphy and friends, Mr and Mrs Michael Douglas, Gene Kelly, Billy

Wilder and Miranda Richardson. All have favourite tables and specialties that Puck's maître d's must remember, and all, he said, would turn up on Oscar night. If so, Wolfgang Puck's first post-Swifty party should have gone with a bang — just as long as everyone tucks in. "Because," he says with a derisive smirk for LA's dieters, "I couldn't be friendly with somebody who doesn't eat."

## The lords barred from the Lords

**F**or a man who has just had all hope of regaining his family seat in the House of Lords dashed after a doughty battle against the arcane regulations governing British peerages, Lord Farnham is extremely good-humoured.

"I thought it would be a bit wet not to have a go," says the City banker, whose petition to restore to Irish peers the right to sit in the upper chamber failed to move the Privileges Committee last week. "We seemed to have a good chance, but the law lords poked their lance between the ribs of our case. On well, so it goes."

The 12th Baron in a line stretching back to 1756, Lord Farnham — full name Barry Owen Somerset Maxwell, chairman of the exclusive Brown, Shipley merchant bank — provided a rare flurry in the ordered world of the Lords, by challenging the ruling, effective since the Republic of Ireland's independence in 1922, that its peers, while entitled to use and inherit their titles, are not allowed a seat in the Lords.

His petition was cleared by the Queen and the Attorney-General before being debated by the committee. "So it was a bit like falling at the last fence". Eight other peers are directly affected by the ruling, although Lord Farnham has been a one-man cause, adopted in the 1960s when he supported an Antrim nobleman who fought in vain for his family's readmission.

"We are allowed to attend the House," Farnham sighs, "but only to sit on the steps of the throne and the Privy Counsellors and the eldest sons of peers." He rarely makes use of this concession. "I found it a very uncomfortable place to sit. We are not even entitled to drink tea there."

**Anne McElvoy**  
meets a baron  
denied a voice in  
the upper chamber



Lord Farnham: wistful

I suppose we would be allowed to use the lavatories — on sufferance, though."

The disowned peers' sole compensation is that they may sit in the Commons without giving up their title, although none has so far done so: "We're a pretty mild-mannered bunch."

Lord Farnham's grandfather, who died in 1957, was the last of the family to sit in the House. Lord Farnham inherited the title after his own father died in action in the Second World War. "It was grandfather who instilled into me that the Lords was an important institution," he recalls. "He used to tell me that that was where I would have to go to find really intelligent conversation in London."

Educated at Eton and Harvard, the present Lord Farnham is the soul of aristocratic discretion. Surprised and a little disconcerted that anyone should want to inter-

view him, he perches uncomfortably during the interrogation in a corner chair in the neat Earls Court house he shares with his wife. One of two rather glamorous daughters pops in with a plant for Mothering Sunday in one hand, a bundle of washing in the other.

He financed the petition privately, but refuses to disclose what the case has cost him. "With the fees for my counsel and lots of research, it certainly added up. But at least we got a complete set of family records out of it."

The legal grounds for the decision against the Irish peers are brain-numbingly intricate, but turn mainly on a debate as to the exact nature and origins of a hereditary peerage, deriving from the King's summons by writ to attend the House of Lords. In 1800, the Act of Union provided for 28 Irish members of the Irish peerage to be elected to sit in the Lords. After 1922, it was ruled that sitting peers could remain till the end of their lives, but no more elections would be held.

Farnham claimed that the writ of summons to appear should have retained their hereditary status and that the 1922 decision was faulty: "Barony by writ was the original way peers were created and the law was never changed to nullify that."

Whatever the technical flaws of the Irish peers' case, the upper chamber would certainly have been the more colourful for their presence. They include Lord Dunsany, an outspoken probation officer, and Lord Kingsale, premier baron of Ireland, who has been a bingo-caller, kitchen fitter and plumber and is now living in sheltered housing.

The Farnham family home in the eponymous village in Co Cavan is a mere ten miles from the frontier with the North, but the quiet peer's battle for a seat is not political. "I keep my head down and hope, like the rest of the people in the border areas," his real passion is forestry, "particularly felling trees myself. Handling a chainsaw is a wonderful feeling."

The IRA ceasefire has, he says, reopened a forgotten horizon. "I've just discovered that our best local dry cleaners is in Enniskillen, which is very close to us on the northern side, so I pop up there without the terrible unease that one felt before about safety."

The end of his campaign leaves him more time to devote to Freemasonry (he is the Grand Master of the United Lodge of England). But he admits that he will always cast a wistful eye towards the Palace of Westminster. "The Lords is an anachronism, but a dynamic one," he says. "Maybe that is why I felt I should have fitted in there rather well."

The job of the journalist is to find holes in any political argument, whatever the party

## Please answer the question

**I** HAVE never thought of Jonathan Aitken as a Cleopatra figure, but I begin to see a resemblance: when the messenger tells you what you don't want to hear, have him whipped. I seem to remember my English teacher telling us that the Egyptian queen's incontinent fury was a clear indication that she was beginning to come unstuck. As in art, so in life: it takes a truly desperate and self-deluding (or else simply opportunistically dishonest) Tory Party to blame the BBC for the "leak-back" factor.

Still, the BBC is so often blamed for anti-government bias that everyone believes it. But it's a silly accusation. Mind you, John Humphrys's decision to chair an anti-government meeting was no less an example of baffling silliness.

Humphrys's action does weaken the BBC's defence, although it shouldn't really. After all, he was chairing the lobbyists' meeting, not speaking for it: the job of the chairman is not to register

sympathy with any of the speakers but to organise them.

I say that blaming the BBC for anti-government bias is a silly accusation, in that I would expect the BBC to be anti-government: I would expect it to be anti-government whatever the government. The Tory gibe of the Blair Broadcasting Corporation shouldn't make the Labour Party feel too relaxed about its future ministers' prospects on the *Today* programme if it gets elected.

Journalists don't attack politicians because they are motivated by heartfelt political commitment. The rules of engagement are straightforward: if you hear an argument your job is to find the holes in it. Journalists are not fired by what they are for, but rather by what they are against, which is usually pretty well everything.

If journalists are unsparing



NIGELLA LAWSON

towards ministers for entirely unpolitical reasons, ministers who attack them back are motivated by something other than politics, too. Don't be misled by attacks of bias: the real cause for complaint is triggered by something a little less noble. Resentment. Every politician seethes with it.

I seem to remember a profile of Sir Robin Day some years ago in which mention was made of his abortive efforts to become an MP. But, it was pointed out, this was hardly failure: who wouldn't

prefer to be Robin Day rather than Ted Heath? Day was more famous, more popular and, it was mooted, had greater influence.

It must seem terribly unfair to politicians, permanently in the role of stooge, fall-guy or villain while the interviewer rests in his role as hero of the people and controller of the mike. Worse the TV hack might just earn more than the politician he is interviewing, and he'll almost certainly be better known. At the very least it's galling. But the envy goes rather deeper than that.

Politicians are rarely able to speak freely. The pressures of the Chief Whip or the constituency party can weigh heavy. The journalist need only be true to him or herself. On *Question Time*, or *Any Questions?*, the journalist on the panel can get a good deal more applause than the representatives of the political parties. That's not because

journalists are so attractive or persuasive but because they can answer honestly, hitting out freely to left and right. The politician is yoked to the party line.

And the thing about television — and more so even on radio — is that phoniness shows. The audience responds to that. Honesty is always appealing and it can't be faked.

● *NEWS that girls who are taught physics in single-sex classes do better at GCSE is not entirely surprising. Girls of GCSE age tend to be at the hair-flicking stage and boys exacerbate the tendency. Girls want to be found attractive by their male classmates but quickly realise that the male ego is a fragile thing and cannot cope with female competition. So before they've had a chance to develop intellectually, they learn that boys find it more appealing if they don't.*

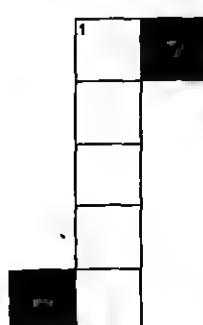
*If single-sex classes help to prevent this metaphorical foot-binding, I'm all for it.*

## The overworked energy pundit's puzzle

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R.W. Johnson says ousting Winnie has become tangled up with Mandela's succession

## Deposing the Queen of Africa

The dismissal of Winnie Mandela from the South African Government prompts not the question "why has she been sacked?" — the grounds for dismissal have long been abundant — but "why on earth has it taken the Government so long to act?"

The conventional argument, often bolstered by news footage of Winnie (as she is universally known) being greeted in African squatter camps with wild acclaim as "the Mother of the Nation", is that she enjoys great grassroots popularity. In fact, much of this should be discounted. Winnie is world-famous, and her sheer celebrity value will always attract a crowd, especially in the drab, desperate conditions of squatter life. This is a reality she has been careful to nourish with occasional shows of largesse. But opinion surveys suggest that her support is actually very limited, and certainly no match at all for the massive authority and popularity of President Mandela himself.

Yet the ANC has always felt that those who attacked Winnie were using her as a stalking horse to attack the movement itself, especially as she bears the charismatic Mandela name. Any move against her would, the ANC felt sure, only be exploited by their opponents — and sure enough, as the pressure mounted on Mrs Mandela last week, both the PAC leader, Clarence Makwetu, and the Inkatha leader, Chief Buthe, were quick with messages of support.

But Winnie has also cultivated the role of "people's tribune", a role greatly facilitated by the hegemonic character of the ANC and the way the movement frowns on the expression of "incorrect" views. In effect, this creates a gap between the official line and the popular reality, providing a continuous opportunity for a tribune to exploit. Thus South Africa rings to a deafening public rhetoric about the "miracle" of the country's transition, and the wondrous transformation to be wrought by the Government's reconstruction and development programme.

The truth is that this programme has not really got off the ground; that the conditions of black life since the ANC came to power have, at best, stood still; and that the most visible change in South Africa is the rapid emergence of a new black middle class, led by the governing elite itself — which has lost no time at all in acquiring all the old privileges of the former white elite.

Naturally, the new elite does not like attention to be drawn to the ever-greater gap that separates it from its followers, and would far rather bask in the light of yet further prayers about South Africans being, in Desmond Tutu's phrase, "the rainbow people of God", or receive yet further congratulations — last week from the Queen of England no less — on the miracle they have wrought. Winnie has

once again capitalised on this, criticising the expense lavished on "a British queen" and declaring her undying love for the poor.

Mrs Mandela's cynicism, both in launching such attacks and in her declarations of altruism, is no less than breathtaking — not merely because of her criminal record of abduction and the still-standing allegations against her of assault and murder, but because she is herself a perfect exemplar of the Gucci populist. She owns large houses and cars and a string of businesses, flies on Concorde, and spares no expense on her succession of dramatic outfits. When she is near, large sums of money go missing with depressing regularity. Her criticism of "a British queen" must, moreover, be seen in the context of her pique at her own complete exclusion from all royal engagements here, and of the way she has recently begun to glory in the accolade of "the Queen of Africa", bestowed upon her by a radical black American group.

It is possible that it was this speech which finally pushed President Mandela to act. The ANC and even leading communists have gloried in the triumphant royal visit, and Mandela may have felt that he could not tolerate his wife's implied insult to the Queen.

Only yesterday, after all, the President told the press that he could not comment on Winnie's future, since it was solely in the hands of Vice-President Thabo Mbeki. For the President has increasingly been cast in a role akin to King Lear by his wife's excruciating disloyalty, and has reacted by refusing to see her or even take her calls — which has predictably maddened her further — and insists that she deal only with Mbeki.

But this simply meant mixing the whole affair up in the politics of the succession struggle, for Mbeki has long since recruited Mrs Mandela to his "Africanist" camp, against his rival, the ANC Secretary-General, Cyril Ramaphosa, who enjoys trade union and Communist Party support. Mbeki has thus found every reason not to act against Mrs Mandela. It will be difficult enough to succeed President Mandela, and Mbeki is no crowd-pleaser. He needs the ANC's populist wing on his side if he is to seize the crown one day.

This is probably what forced President Mandela finally to act on his own — and it must have been an extremely painful decision. He refused, to the end, to talk to his wife, whose office thus learnt of her fate through the media. ANC officials were tight-lipped last night, for the movement is fearful of what Winnie may do next, and is clearly bracing itself for trouble. Hell hath no fury, after all, like a woman scorned, and the situation is certainly no easier when that woman is "the Queen of Africa".



Peter Brookes

## It's no man's library now

This is a juicy story, though the juice turns sour. The *Times* gave it only a few paragraphs, little knowing that mayhem was very soon to break out. (I wrote that word, "mayhem", as I have written it many times, knowing that my readers would understand, but this time I suddenly realised that I had never looked it up in a dictionary to discover what exactly it means. Imagine my unbounded delight when I learnt that it means "Crime of maiming person so as to render him partly or wholly defenceless", and I can't wait to try it out on the Home Secretary. But to the subject in hand.)

In Axminster (where, a thousand thousand years ago, I loved and was loved), there is a public library, and an anonymous benefactor has offered to that library a magnificent gift of 200 volumes from the Everyman classics, with the sole condition that when the books are not out on loan, they should be shelved in Axminster. (The books, I take it, would be the old Everymans, on which we all cut our teeth, not the stupendously beautiful and ever-growing numbers of new Everymans, which David Campbell has conjured into a new, astoundingly cheap Everyman series.)

Where there are public libraries, there are public librarians, and these rule their book-lined caverns; the stocks they have, and must constantly seek, constitute a cloth of gold made from the printed word, so you may guess the delight in the Axminster library where the unknown giver was ready to give.

No doubt there would be flags and bunting, perhaps the town band with "See, the conquering hero comes", and of course the schools would have a half-holiday. Yes?

No. The Axminster librarians rejected the gift, with the memoranda words "Two hundred titles of classic literature would not give a balanced stock". Moreover, the librarians said that they did not have enough shelf-space for housing the classics, though it was said by the locals that there was quite enough shelf-space for two hundred volumes from the house of Mills & Boon.

Uproar followed, with Victoria Glendinning in the van; she said that the rejection of the books was "criminal and deeply condescending to the public... if you feed people slush they will get used

What should we read into the news that librarians are spurning the great books?

to slush... I think they could be sued for not fulfilling their statutory duties."

Only one voice was lifted in defence of Mills & Boon: Derek Jones said: "If people are happy and fulfilled reading romance that's up to them. It isn't up to us to make them read Proust." Well, now, I must say that the lot of toffee-noses who pour scorn on what people choose to read are almost enough to make me vow to read nothing but Mills & Boon for the rest of my life, thumbing my nose as I turn the page. But three considerations make me stay my hand.

First there is the absurdity of the librarian who refused the gift classics, saying such nonsense as "Two hundred titles of classic literature would not give a balanced stock". She should be told that it is no business of a librarian to balance his stocks, whatever that means. Listen to Vartan Gregorian, who was for many years the Director of the New York Public Library (the world's biggest, match), and with whom I spent one of the richest, most profound afternoons of my life:

We believe that this library is an extension of intellectual freedom of thought; we do not therefore invade the privacy of our readers, we do not keep tabs on them, we do not ask what they read. Our library is freely accessible — any citizen can come and use it as a right, not a privilege, without any identification card. We do not have photos taken, or letters of introduction written; we welcome everybody to come and use it, students and scholars and ordinary citizens, and the more we are used the better we feel we have been fulfilling our mission.

The second reason that I shall not, like Lucifer, burn my book, is that I have just received a letter from the would-be donor of the 200 Everymans himself, and very ripe it is. He begins by referring me to the referendum that is being held in Axminster: the citizens can tick one of two boxes, one saying "I support the decision of the Librarian", and the other saying "I believe the gift should be accepted and housed in Axminster".

So far, there have been no votes at all for the Librarian, but to rub it in, the referendum has coincided with an announcement by the Devon County Library Services that they will be cutting their book purchases budget for 1995 by £250,000.

He continues in that sharp tone for some time, and rounds it off with a letter from the Devon County Librarian (who would presumably instruct the Axminster one), reading:

Despite certain logistical problems, I am willing to accept the collection for Axminster library, which would then be housed on some appropriate extra shelving (there is already 70% of empty shelf (Axon)) and used to carry out an experiment to explore readers' needs in the town. Whether the result is positive or not will of course be very interesting for ourselves as well as hopefully to the donor.

To which our hero adds "I take this to mean that the books would be housed in a dark corner for three weeks and then removed."

But there is another, and clinching, reason for me to see this crazy story out to the end. The story, after all, begins and ends with the Everyman Library of literature, one of the noblest and worthiest endeavours to be made out of nothing but words. From the start, the goal was to measure up to those echoing words of John Milton: "A good book is the precious life-blood of a master-spirit, embalmed and treasured upon purpose to a life beyond life." The Everyman's Library was and is a treasure beyond rubies. And I should know, and do.

Why? Because I was one of the Everyman generation. Between my primary school and my public school I read as if I would be hanged unless I read five books a day: I swallowed books like Niagara, I crammed them until I was in danger of bursting, I hungered and thirsted for more, and to stake my last, there was, always by my side, an Everyman.

By then, there was a brisk exchange-and-market in Everymans; they could be picked up from barrows for

a few pence, and their sturdy, plain — well, plainish — covers were everywhere to be seen. We impoverished library-makers scoured the second-hand, third-hand, tenth-hand bookshops (Everymans were made to last) and I made a collection that would not quite outdo Vartan Gregorian, but ran it close.

Come with me down memory lane, though I warn you that I shall drop many a tear before I finish. The first author I truly steeped myself in was Harrison Ainsworth (I wonder if anyone reads him now, or indeed has heard of him); he wrote dozens of novels, but the only one I remember is *The Tower of London*, and the only character in it that I remember was Kit, the dwarf.

I tried *Lorna Doone* but failed (my sister loved it, but I fell upon Ballantyne, devouring *The Coral Island* and *Martin Rattler*; on the other hand, *Black Beauty* turned me off horses so completely that I have never sat on one, and never shall. *The Pied Piper* was the first long poem I learned by heart, and in doing so I discovered my exceptional memory (alas, it has gone for ever now).

As I grew up, the pabulum became more substantial, and I looted Cobett, the first writer I actually loved, followed of course by Dickens. Euripides was my first encounter with the Greek dramatists, though Herodotus became and still is the one I cherish. I claim to be the only man to read Machiavelli's *The Prince* and declare it a great bore; I fervently took Kingsley's side against Newman; Plutarch I had missed altogether, and had to catch up. And Edgar Allan Poe didn't give me nightmares, though long afterwards M.R. James did.

But all of these were to be found, and were found by me, through the good offices of Everyman's Library. How many millions have learnt their literature and scores of other literatures (Everyman always translated) in those neat covers? How many millions bless the name of Everyman, who led them to a vast range of Aladdin's caves?

And in Axminster, they are holding their breath, to learn whether an anonymous benefactor is to be allowed to give the local library 200 volumes of the world's most eclectic and precious literature, Everyman's Library.

Ah, well; if all fails, we could call the series "Apparently Nobody's".

## Grill both sides, please

Woodrow Wyatt says BBC politics needs 'outing'

On February 13, 1990, I wrote in *The Times* of the pro-Labour bias of Radio 4's *Today* programme, pointing out that the BBC is forbidden by its licence to broadcast its own opinions on current affairs and public policy. I had asked the BBC to give the political opinions of the main presenters and interviewers. Six days later, the Deputy Director-General replied: "Unlike Lord Wyatt, the BBC does not want to know what these private convictions are... Taken as a whole, the programme carries out its task with distinction." Thus wrote John Birt, now BBC Director-General, who recently complained of over-aggressive interviews of the kind that are the speciality of Jeremy Paxman on *Newsnight* and John Humphrys on *Today*. These are contrary to the BBC's own guidelines, which poor Mr Birt is unable to enforce.

In October 1955, the new-style *Panorama* began, with Richard Dimbleby and myself as the presenters, to challenge the new Independent Television. Everyone knew Richard was a Tory and that I was Labour. We were joined by Robin Day, a Liberal parliamentary candidate, Geoffrey Johnson Smith and Christopher Chataway, both Tory councillors who became MPs. We were not ashamed of everyone knowing our politics; any more than Aidan Crawley was when he made BBC documentaries and then ran ITN, setting a standard of impartiality admirably upheld by Trevor McDonald today.

At the BBC we were terrified of Mrs Grace Wyndham Goldie, head of Current Affairs. She should have been Director-General, if she had not been a woman (perhaps the excuse was her mild but not obsessive addiction to the bottle). She thought viewers should know our political leanings, but were beside us if we failed in impartiality. Viewers had to have fairly selected evidence on which to make up their minds. When Hugh Greene became Director-General, he thought impartiality unnecessary, as did the *Panorama* producers, who told me they could not use me any more because impartiality is dull. Is it from 1955 to 1990, the viewing figures for *Panorama* were 14-15 million. Today its slanted programmes average 4.5 million viewers.

People expect the publicly funded BBC to be impartial, yet because it so frequently gives only one side of the story, many are unaware that it is not.

Defenders of the practice of treating ministers like prisoners in the dock claim it is essential because they are the Government, and do things. Blair and Paddy Ashdown are not the Government, so they are handled gently. This is odd, as *Today* and *Newsnight* continually assure us that Major has not an earthly chance at the next election because his party is split. An off-the-cuff remark by a Cabinet minister that some easily-disposed-of lunatic might challenge for the leadership is reported as though a serious bid is imminent.

BBC pundits of the air assure us that Blair and Labour are the government-in-waiting. Concealing their politics, they pretend to examine them, but leave out the searching questions. Labour is far more split over Europe than the Tories. Some 35-40 per cent of Labour MPs oppose majority voting, which would reduce our Parliament to the status of a glorified county council, with its laws being overturned and the judgments of our courts reversed. They oppose political union and broadly share the approach of John Major and some 75 per cent of the country towards Brussels and all its works, wishing to roll back the unelected bureaucracy and revert to the Common Market.

Their views are seldom sought by *Today* or *Newsnight*, and Blair is never grilled about his deep divisions in his party. Nor is he rigorously interrogated about the exclusion of John Prescott from Labour's election campaign, of which Robin Cook is now in charge. Yet Prescott and Margaret Beckett represent the 43 per cent who voted against Blair becoming party leader.

Boy Blair is not put on the rack over the waffle in his proposed new Clause Four, acclaimed by BBC commentators and presenters as a triumph in modernising Labour. Yes, it is now as modern as a hansom cab.

Mr Blair wants an incomes policy for top earners, which inevitably would have to stretch down to lower earners. Why is he not peppered with questions? He should be sharply tested on John Smith's pledges to the TUC in 1993, to which Blair is committed, to reverse most of Mrs Thatcher's trade union reforms: allowing secondary strikes and picketing, and strikes before ballots. And on his own pledges of higher taxation at almost every level: on his constitutional change without a referendum, and his determination to revoke the social chapter opt-out, with consequent losses in jobs and international competitiveness.

The BBC says it will do so after the election, while most of their current affairs teams are doing their damndest to secure a Blair victory. It would be too late then to give the audience a fair picture.

## On the chin

THE LATE and pulchritudinous Diana Cooper is to have her bosom removed. There are plans to delete her cleavage from a portrait by Rex Whistler.



Diana's bust: too high?

Whistler's illustration of Diana crowns the bookplate he designed before the Second World War for Duff Cooper, her husband. It shows her to be uncommonly high-breasted, with a bosom very much closer to her chin than could have been the case.

Her granddaughter, the writer Artemis Cooper, thinks it looks silly. She reproduces the book-mark on headed notepaper for the prestigious Duff Cooper Prize, an award, which she chairs, for historical and biographical works. But for the 40th anniversary of the prize, which falls next year, she is planning to reproduce the image without its high cleavage.

"It just looks so ridiculous. It's just under her neck, far too high up," she explains. "We'll get rid of it I think, but only on the reproductions. We won't touch the original artwork."

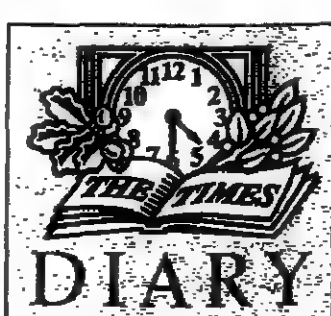
The notion of tinkering with Diana Cooper does not meet with the approval of Simon Whistler, the artist's nephew. "My gut reaction is that it shouldn't be done," he says. "Rex's human beings were not always ideal, certainly. But I really do not think this should happen."

• A roll-call of wartime recipes stands to attention in Marguerite Patten's *The Victory Cookbook*, just launched for the VE Day celebrations. "Carrot Buns" and "Patriotic Pudding" appear nostalgically on the pages, but one recipe probably best forgotten is the "Sheep's Head Roll".

## Rave waived

EVEN THOUGH he may be fighting for his job, Jeremy Hanley is still swinging the axe. The Tory chairman has ordered a halt to plans for a monster "rave" in June for sprightly party members.

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The Summer Youth Festival — billed as offering "24 solid hours of pure, concentrated, non-stop fun and party... and more" — was dreamt up by Jeremy Maddocks, the erstwhile youth director at Central Office — a post which has now, thankfully, disappeared.

The festival was to have taken place in the Midlands, with top bands, celebrities and sideshows. "It will be one of the most spectacular high-profile celebrations you have ever seen," ranted the advertising. "It will start at 10am and finish with breakfast the following morning." Cabinet ministers were promised — but not Michael Howard, who brought in a law recently to counter the rave menace.

• Spotted at the jazz musical *Ain't Misbehavin'* in London's West End on Saturday were Oxford's

oarsmen, said to be psyching themselves up for the Boat Race this weekend. "I am trying to teach them rhythm," explained Abbie Chapman, their cox.

## And waning

THE WAITING world has yet to see Pierce Brosnan's James Bond, but progress on his waxwork for Madame Tussaud's is coming along nicely. Between takes on location near Watford this month, modellers have been taking down his vital statistics for a waxwork to stand in a special Bond set, complete with flashing lights and signature tune.

It means the end for Timothy Dalton, who played the character only twice. "We can't have two Bonds, so Mr Dalton will have to go," says a spokeswoman. "But we will be keeping his head."

## Sore eyes only

THE CAMBRIDGE UNION is to consider romance at a special May Week debate this summer, and has concocted an unusual variation on the theme. The motion is: "Girls seldom make passes at guys who wear glasses."

Spectacle-wearers proposing are the notoriously rude historian



Amanda hides her eyes

David Starkey and the comedian Kit Hesketh-Devereaux. Amanda de Cadent, the one-time "wild child" and television presenter, who sports dark glasses at any opportunity, will be opposing.

Union president Nicholas Boys Smith says he will be donning specs for the debate, but is keeping his eyes peeled for another speaker in the meantime. "I asked Linda St Clair to join us but sadly she turned us down."

P.H.S





## HOME AND AWAY

Poorer countries should be allowed to export cheaper labour

Companies that complain about being undercut are companies that are not likely to thrive in a competitive world. Countries that complain about being undercut are subject to the same disease. Yesterday the protectionist instincts of France and Germany were paraded to the full as social affairs ministers tried to level up the pay and employment benefits of workers posted to other member states. This posted workers directive may be small fry in the bigger pool of "social Europe", but it is symptomatic of the visceral hostility that many in Europe still have to the competitive aspects of the single market.

This market was supposed to ensure the free movement of people as well as products. In doing so, it was bound to put direct competitive pressures on the efficiency of each country's labour arrangements. That is what market forces are all about. Thus, if German construction workers cost much more to hire than those from Portugal, the Portuguese will be invited to lay bricks in Berlin.

This is not "exploitation", as the Germans have claimed. The Portuguese workers are doubtless delighted to be paid more than they would be at home, even if the rate is still lower than a German bricklayer would earn. Yet the posted workers directive would give these workers not only the same employment rights as those in the host country, but also the same pay rates. In other words, it would not be worth hiring them in the first place.

Moreover, the directive is absurd in its demands. It says that the host country's working conditions and pay should apply from the first day of work. This would give rise to ridiculous calculations: a British engineer sent out all over Europe to repair machinery might be entitled to an extra eighth of a day's holiday from his Tuesday in

Frankfurt, and different redundancy provisions from his week in Seville.

This directive is not only hopelessly impractical. It is also wrong in principle, as it seeks to deny one of the easiest ways for a poor country to enrich itself — the export of its labour. It is hardly surprising that Ireland and Portugal sided with Britain yesterday in opposing the directive. For if Europe is to work as an economic construct, it must allow poorer countries the chance to better themselves through their own efforts. Yet all the thinking behind a "social" Europe seems to be to fossilise the differences between member states as they are today. Germany wants to export its labour costs to the other member states, thus ensuring that they remain as uncompetitive as it is.

Unfortunately, these arguments are rather theoretical because, if the directive does not pass, countries will simply pass domestic laws to the same effect. France, Belgium and Luxembourg have done so already. Germany looks set to follow suit. The French were particularly vociferous yesterday since, if ministers at the next social affairs council decide to compromise by allowing a week's work overseas before the provisions come into force, that would actually water down France's own laws.

But the directive, and the arguments that surround it, are nonetheless illustrative of a wider struggle within Europe. The other member states are still furious about Britain's opt-out from the social chapter and are determined to lasso this country into conformity. At the inter-governmental conference next year, they will put Britain under pressure to jettison the opt-out. In the meantime, they are trying to force social legislation on the UK, masquerading as either single market or health and safety directives. On this issue, at least, Europe is emphatically not going Britain's way.

## AN OVERDUE DISMISSAL

Mandela's ex-wife is now also his ex-minister

In deciding yesterday to relieve Winnie Mandela of her post of Deputy Minister for Arts, Culture, Science and Technology, President Mandela has not only rid his Government of a convicted kidnapper; he has rid it, also, of its most corrosive influence. To dismiss his estranged wife, to whom he must still feel personally tied by his past, cannot have been a comfortable decision for Mr Mandela. That, in part, should explain the unhurried pace at which he has responded to Mrs Mandela's misbehaviour.

Yet the real reason for the delay in her dismissal lay not in sentiment; it lay instead in the perception that Mrs Mandela was too popular to be jettisoned from Government, and too well loved by the rank and file of the African National Congress (ANC) to be subjected to conventional rules of discipline. The mounting evidence of misconduct, however, ranging from alleged embezzlement to grotesque attacks on the Government of which she was ostensibly a member, made it increasingly difficult for Mr Mandela to deal with her.

Mrs Mandela treated her office and responsibilities with such disdain that even her most steadfast supporters in the Government, including Thabo Mbeki, the First Deputy President, became incensed enough to oppose her. A brief account of Mrs Mandela's activities in February alone is revealing: on the 5th, she made a speech in public lambasting the Government for "pandering to the whites"; her despotic approach to the presidency of the ANC Women's League set off a flurry of resignations on the 10th; on the 13th was revealed the disappearance of \$140,000, given to the

ANC Women's League by Benazir Bhutto; and on the 23rd, in defiance of an order from Mr Mandela explicitly forbidding her from doing so, Mrs Mandela embarked on a trip to West Africa.

But for the intervention of the Queen's visit to South Africa, Mr Mandela might have sacked his estranged wife a few days earlier. The question now, however, is not whether his timing in the matter was correct; but how the Government might best meet the threat of a splenetic Mrs Mandela as she seeks to kindle fire in the party's grass roots. There can be little doubt that she will attempt to take her "message" and her rancour to the townships and the sullen squatter camps, to the urban and rural poor, and to all those who regard themselves as still excluded from the political and economic mainstream of a democratic South Africa.

The popularity of the self-styled "Mother of the Nation", which is thought to be considerable, must not be confused with her power, which is limited. Stripped of her position in Government, under investigation for a variety of corruption charges, and now with the range of her own party's machinery directed against her, Mrs Mandela's room for manoeuvre is tightly circumscribed.

Her ability to disrupt the smooth course of affairs, however, is potentially immense; particularly insidious is her propagation of a culture of racial confrontation and entitlement. The Government will have to counter Mrs Mandela with an offensive of its own. Mr Mandela himself must seize every chance to reach out to her followers. They are, after all, his followers as well, and Mrs Mandela is no match for him.

## BRAVE NEWFIE WORLD

Fish, folklore and fierce islanders

What is black and blue and floats in the bay? Answer: A mainlander, after telling a Newfie joke. A month ago, jokes involving the people of Newfoundland — or "Newfies" — would have fallen flat outside North America. Yet the maritime struggle between the fishermen of this Canadian province and their Spanish adversaries has made an unlikely international hero of the Newfie. As this particular joke suggests, he has long been the victim of ethnic put-downs. But, as the trawlermen of Spain have learnt the hard way, he never takes an insult lying down.

Whatever the niceties of international fishing rights, it has been hard not to cheer on the Newfoundlanders in the transatlantic squabbles of the past few weeks. In comparison with the desire of ordinary Canadians to save their livelihood, the pomposity of the European Union has been breathtaking. Yesterday the EU Fisheries Commissioner, Emma Bonino, complained that the cutting of a Spanish trawler's nets on Sunday was an act of "international piracy". This is a surely a disproportionate reaction to a complex international dilemma. Most people's instinctive sympathies, indeed, will lie with the frustrated fishermen of Newfoundland rather than the bloated bureaucracy which is taking them on.

Newfoundlanders exemplify a robust insularity which most outsiders do not wish to share. Their simple lifestyle on the easternmost tip of the North American continent has inspired a whole genre of jokes assuming the stupidity and backwardness of

the stereotypical Newfie. In this sense, Newfoundlanders are to other North Americans what the Irish are to the English, and the people of Kerry are to other Irishmen. They share this fate with many other minorities around the world, particularly those who are separated from the majority by geography.

Their remoteness makes them Other. But it can also make them seem admirable — as in this case. The cold winters, storms and fogs of this inhospitable landscape have bred in its inhabitants a tough resilience to which the bureaucrats of Brussels have no ready response. The Newfoundlanders also have a clear sense of their own ethnic identity. More than 90 per cent of them are of British descent, the vast majority with roots in Devon, Cornwall, Dorset and Somerset. Though there are five main dialects on the island, the strongest strain is thought to resemble the West Country accent of the 17th century, with a hint of Irish.

Alongside this linguistic heritage has grown a vibrant tradition of folklore and folk songs. If you respect his fishing rights, the Newfie will sing to you in warm, Celtic tones of the island discovered by Vikings and again by Cabot. To the rest of the world, Newfoundland may seem a bleak and isolated place. But to its inhabitants, it is a rugged Shangri-La set aside for those made of the right stuff. The island's battle against the Spaniards will not stem the flow of Newfie jokes. But they may now be told with a little more respect.

## Blair's beliefs on freedom of choice

From Mr Nicholas Bennett

Sir, I looked in vain for any mention of choice, the prerequisite for responsibility, in Tony Blair's *Spectator* lecture (report, March 23). If people have little or no alternative to the services provided by the State, and little say in what is provided, they will refuse to take responsibility for decisions imposed by the State.

It has been Labour governments who have steadily reduced the freedom of choice of ordinary people. Direct-grant schools and grammar schools were replaced by neighbourhood comprehensive schools, private beds were abolished in NHS hospitals and public transport was nationalised.

Conservative legislation to create more choice and to provide the necessary information to allow informed choice by publishing exam results, allowing schools to opt out of LEA control, giving council tenants the right to run their own estates and doctors to hold their own budgets have all been opposed by the Labour Party with the help of Mr Blair's voice.

Notwithstanding recent tax increases, it is still the Labour Party which believes, as a matter of principle, that high government spending and taxes are an end in themselves and, despite the assurance given by Gordon Brown during a radio interview in January 1994, not a day goes by when a Labour spokesman does not complain about "government underfunding".

There is no reason to believe that a future Labour government's tax policy would be any different to its predecessors'. Personal taxation will be increased and with every turn of the ratchet the ability of more and more families to choose whether to use the State's services or pay to purchase from the private sector will be removed.

Yours faithfully,  
NICHOLAS BENNETT  
(Conservative MP for Pembroke, 1987-92; Parliamentary Under-Secretary of State for Wales, 1990-92),  
7 Haredon Close, SE23,  
March 23.

From Professor Emeritus H. MacL. Currie

Sir, Alone among the ancient systems of thought Stoicism explicitly recognised and made psychological allowance for the motive of duty, a motive for which the Romans already had a deep natural respect. And last century Thomas Carlyle said: "When in doubt, do the duty nearest you." I, as an old-fashioned Conservative, welcome Tony Blair's recent teaching on this subject: if he gets in next time and he is not hoodwinking us, I feel that we'll be safe.

Yours truly,  
H. MACL. CURRIE,  
25 West Street, Yarm, Cleveland,  
March 24.

From Mr Kevin Kerrigan

Sir, Tony Blair thinks that Responsibility should be the "fourth R" and he has no room in his "R-list". It seems, for Rights. He forgets that education about rights is a precondition to a proper understanding of responsibility.

Yours faithfully,  
KEVIN KERRIGAN,  
34a Simonside Terrace,  
Heaton, Newcastle upon Tyne.

From Mr Michael James

Sir, "The rights we receive should rebuke the duties that we owe" — Tony Blair.  
"From each according to his abilities, to each according to his needs" — Karl Marx.  
Not much has changed.

Yours faithfully,  
MICHAEL JAMES,  
25a Abbey Gardens,  
St Johns Wood, NW8.

## Words perfect

From Mr R. M. Maxtone Graham

Sir, The terseness of the Scots Act of 1621 "anent hunting and hauling" did not "anent" claims (letter, March 24), prevent lawyers arguing about its loopholes. They did so for centuries. The Court of Session reviewed the older judgments in *Trotter of Morintonhall against MacEwan* (Faculty Cases, July 8, 1809), holding that "hunting" no longer meant just with dogs but also "with fowling pieces as now practised in this kingdom".

The court also decided that an owner of a ploughgate could "by the constant usage of Scotland" permit the taking of game on his land by an unqualified person. Curiously, this rule did not apply to leaseholders. Balfour's *Practicals* said that "a plough could contain viii oxen" etc, but legal draughtsmen thought otherwise (Bell's *Dictionary and Digest of the Law of Scotland*, 1890, under the heading "Ploughgate of land"). Other "doubts and questions" raised by the far from clear Act of 1621 are discussed in *The Game Laws of Scotland* by Ness, 1818, pages 26-53 and 177-220.

Yours faithfully,  
ROBERT MAXTONE GRAHAM,  
6 Mead Side, Sandwich, Kent,  
March 24.

## LETTERS TO THE EDITOR

1 Pennington Street, London E1 9KN Telephone 0171-782 5000

## Sentence reforms called in question

From Mr Paul Cavadino

Sir, The Magistrates' Association's dubious reaction to the Home Secretary's proposals to replace community service and probation orders with a single community sentence (report, later editions, March 16) coincides with the widespread feeling among organisations working with offenders that this is change for change's sake.

Judges and magistrates can already include a range of requirements in probation, supervision and combination orders and can combine different sentences where appropriate. While courts wish to know what will happen to the offender when they pass a community sentence, there is little evidence that they want to control all the details of a supervision programme.

The arguments for abolishing the distinction between probation and community service orders are not persuasive. In some cases where a straightforward punishment is required, community service orders can be a highly appropriate sentence.

Where intensive work is needed to overcome drug or alcohol problems or to change offending behaviour and attitudes, probation may be a more suitable option. Courts can combine probation and community service when they see fit, but it is not always appropriate to do so.

Research has shown that certain types of community supervision programmes can reduce reoffending rates by between 20 and 50 per cent. However, the availability of these programmes is currently patchy. In-

stances to extend them to many more offenders would do far more to reduce crime than changing the names of sentences.

Yours faithfully,  
PAUL CAVADINO,  
Chair, Penal Affairs Consortium,  
169 Clapham Road, SW9,  
March 16.

From His Honour Judge John Beashe

Sir, The day after the Home Secretary published the Green Paper proposing a new single community sentence and a general "toughening up" of such penalties I chaired a sentencing forum in Dorset of 25 probation officers.

The probation officers were earlier supplied with the facts of 13 cases which the Attorney-General had referred to the Court of Appeal on the basis that the sentences imposed by the Crown Court were unduly lenient. They were told of the sentences imposed by the judge at first instance but were not told of the Court of Appeal decisions. The cases included robbery, causing grievous bodily harm with intent and causing death by dangerous driving.

All participants agreed the penalties imposed by the judge at first instance were unduly lenient. The large majority would have increased the original penalty beyond that eventually imposed by the Court of Appeal.

Yours faithfully,  
JOHN BEASHE,  
The Law Courts,  
Stafford Road, Bournemouth, Dorset.

## Clinton and VE-Day

From Mr Roland Shaw

Sir, As an American who has had the privilege of being a guest in your country for over 30 years and as a combat pilot from 1941 to 1945, I am deeply angry about the decision of President Clinton not to attend VE ceremonies here on May 8 (report, March 20).

That the reason is "purely logistical" is insulting, especially when tied to the President's Russian visit on May 9 to a country with which the USA has had strained relations, to say the least, over the past 40-odd years.

My fellow Americans in the United Kingdom will surely join me in hoping that our British friends will recognise the President's decision as indicative of his level of competence and judgment and in no way reflecting the will of the American people. We will never forget the courage of the British people

when your country stood alone facing the enemy.

Yours faithfully,  
R. SHAW,  
Shalden Park Farm,  
Shalden, Alton, Hampshire,  
March 21.

From Mrs Sheila Jones

Sir, As long as the American soldiers who fought in Europe — storming beaches in Italy and France with the British, the Canadians and hosts of other freedom groups to liberate the rest of Europe in 1945 — will come and take part in the VE-Day celebrations, I am sure we will be able to bear the absence of Mr Clinton.

Yours faithfully,  
SHEILA JONES,  
15 Havercourt,  
Haverstock Hill,  
Hampstead, NW3,  
March 20.

## Trade with Africa

From Mr Tom Carver

Sir, Simon Jenkins, in his article, "Just leave Africa alone", on March 22 (letters, March 25), strikes a chord but not the right note. He is right to say that what Africa needs is more trade and less aid. But, as I'm sure he knows, in order to trade you must have capital.

I know several bright entrepreneurs in South Africa's biggest township, Soweto, who have the drive and the right product to trade successfully but cannot get anywhere because no bank will advance them a loan.

It's hard enough to get a loan to start a business in Britain — can you imagine what it's like in Soweto? Yet the Western world is awash with money sloshing uselessly between the currency and futures markets.

## Could feel better

From Mrs Moira Marland

Sir, Surely, the only people in the UK who currently "feel good" are those foreign investors — such as BMW of Germany — who, having bought a core UK manufacturing company for a song, can now produce a first-class product with the added bonus of being able to pay their employees with an increasingly worthless currency. How is anyone supposed to "feel good" about working for something that has little value outside the UK?

Yours sincerely,  
MOIRA MARLAND,  
12 St Martins Avenue, Epsom, Surrey,  
March 21.

From Mrs Eloise Akpan

Sir, I will "feel good" when the state of repair of my grand-daughter's school is as good or better than that of the local betting shop.

Yours faithfully,  
ELOISE AKPAN,  
28 Hurlstone Road, SE25.

## Over troubled waters

From Dr Max Gammon

Sir, A sign at Westminster Bridge says that the road works which have been disrupting traffic for the past few months will not be completed until September 1996. I pass there at least twice a week and have rarely seen more than half-a-dozen men at work. At times the site seems deserted.

In any other capital city, outside the Third World, repairs would surely have been completed by a massive team working round the clock, seven days a week.

Yours faithfully,  
MAX GAMMON,  
Church Cottage,  
92 Southwark Park Road, SE16,  
March 25.

## Fleming's cure

From Mrs Carol Fallon

Sir, Towards the end of the last war my father, a company sergeant major with the 7th/9th Royal Scots, had been badly wounded. In hospital in Belgium he was approached during a ward round by a doctor whom he had not seen before. The doctor looked at his leg and said: "It's all right laddie, they want to take it off but don't worry, I've told them to give you penicillin first and I know you will be fine."

Yes, it was Sir Alexander Fleming. My father, now 75, is still playing golf on his own two legs. Lord Lovat (obituary, March 17) was not the only Scot to have this great man's special attention (Diary, March 18).

Yours sincerely,  
CAROL FALLON,  
6 Edgerton Drive,  
Tadcaster, North Yorkshire,  
March 18.

## Pugin window

From the Vicar of Sherborne

Sir, The Director of the Victorian Society may be right (letter, March 27) that your readers would not recognise the features, or lack of them, of Mr Blooby in Sherborne Abbey's west window. But our young visitors frequently do.

Dr Filmer-Sankay should defer to their judgment: they, not he, are the Blooby experts.

Yours faithfully,  
ERIC WOODS,  
The Vicarage,  
Abbey Close, Sherborne, Dorset,  
March 27.

Letters to the Editor should carry a daytime telephone number. They may be sent to a fax number — 0171-782 5046.

## New approach to breast cancer cure

From Professor Michael Baum

Sir, Earlier this month I attended a three-day conference in St Gallen, Switzerland, on the management of early breast cancer. I was one of 1,000 specialists from all round the world.

The final session was devoted to developing a consensus on the management of all stages of this dreadful disease. For once there was little acrimony, and agreement on the state of the art was arrived at quickly by a panel representing international opinion leaders.

The use of high-dose chemotherapy with some form of bone-marrow transplant, such as that advocated recently in your columns by Dr Gwyneth Vorhaus ("Why did I have to battle for the treatment that I need?", Body and Mind, March 7), was considered experimental and not for recommendation outside randomised controlled trials.

It is of course possible that such trials will demonstrate a modest advance over conventional chemotherapy given after standard surgery. My personal view, however, is that this approach echoes the death throes of the conventional belief system and is analogous to the demise of the extended radical mastectomies fashionable in America in the late 1950s.

As the limitations of post-operative chemotherapy are becoming accepted, a better understanding of the cell and molecular biology of breast cancer is being incorporated into our models of the disease. Many of us believe that the future lies not in a blunderbuss attack attempting to eradicate all cancer cells present at the time of diagnosis, but a more sophisticated attempt to maintain a dynamic equilibrium controlling the disease by the modulation of the body's natural defence systems.

Pursuing this type of approach will lead to more humane and ultimately more successful treatments than the futile attempts to kill off all remaining cancer cells in the body. More of the same has never been the answer to the intractable problems of human disease.

Yours sincerely,  
MICHAEL BAUM,  
The Royal Marsden NHS Trust,  
Fulham Road, SW3,  
March 9.

## NHS consultants

From Mr P. C. May, FRCS

Sir, I am personally involved in an Audit Commission survey of all hospital doctors, including consultants, which seeks to enlarge on its recently published 26-hospital mini-survey ("Consultants neglect NHS for lucrative private practice", March 15).

Assuming the methodology used in the pilot study was the same as that being used in our hospital, the commission's questionnaire about out-patient doctors would not have allowed explanations for consultants' absence such as annual leave, higher training courses or management meetings.

All such absences could on this basis be misleadingly construed as consultants shirking, but annual and study leave alone can account for more than the number of fixed clinics and operating sessions you reported as having been missed.

Neither is the commission including in its survey here an investigation of time spent on in-patient management, ward rounds, clinical administration, or "on call" duties at evenings and weekends. If the collecting of data is so blinkered, then the resulting report is hardly likely to give a fair picture.

No one in my hospital neglects NHS work for private practice. We all devote above and beyond our contract to the NHS. I believe the same to be true for 99 per cent of hospitals and consultants in the UK.

Yours sincerely,  
PETER C. MAY,  
The Princess Royal Hospital  
NHS Trust,  
Apley Castle,  
Telford, Shropshire,  
March 16.

## Season's cheer

From Commander T. V. G. Binney, RN (ret'd)

Sir, In this household, we too were at first bemused by the Royal Mail's offering for "springtime" of what appears to be a fossilised mollusc (Mr Melville's letter, March 24) but after a little thought the answer was obvious: what we have here is an example of a very ancient pre-Lamontian green shoot. At only 25p, surely a price well worth paying.

Yours faithfully,  
GILES BINNEY,  
Close Cottage,  
Rogate, Petersfield, Hampshire,  
March 24.

From Professor B. G. J. Upton

Sir, Mr Melville complains that a recent stamp "appears to depict a gloomy old fossil". Old, no doubt. But why gloomy? I believe it was Ogden Nash who penned the lines: "The fossil looked at me and winked. It's rather fun to be extinct."

Yours sincerely,  
B. G. J. UPTON,  
59 Belwood Road,  
Milton Bridge, Midlothian,  
March 24.











**BUSINESS**

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By Jon A

**BRITAIN'S** board by cheats and has alarming survey on taken at face value the CVs of applicants £80,000 salary raising catalogue of and massaged graduates. An analysis of the activity by NBS largest executive exposed to cases of were not what it

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## LAW 29

Travelling to the aid of the old country fair

## ARTS 33-35

Political power play is won by a nose

## SPORT 36-40

Boat Race stays weighted in Oxford's favour

DEUTSCHE TELEKOM'S SLOW CALL  
Page 25

# THE TIMES

BUSINESS EDITOR Lindsay Cook

TUESDAY MARCH 28 1995

## Pru now faces formal inquiry

By ANNE ASHWORTH

CITY watchdogs are now formally investigating the Prudential, Britain's largest insurer.

Although Lauto, the life insurance regulator, has been looking into the Prudential's pension transfer business since April, this inquiry was on an informal basis. Throughout the controversy, the Prudential, the biggest name in personal pensions with 9 per cent of the market, has denied any wrongdoing.

The new status of the inquiry, announced yesterday, is significant. Lauto's disciplinary committee, which can fine members, can only consider conclusions of a formal inquiry.

The move to make the investigation formal also enables the watchdog to call any Prudential employee, including the new chief executive, Peter Davis, as a witness during its future, more extensive, deliberations.

Neither the watchdog nor the Pru would yesterday comment on whether a fine was expected, or how big it might be. Sources close to both organisations maintain that no decision has been reached.

To date, inquiry findings, contained in a secret report sent to Prudential directors late last year, have been highly critical of the Prudential. In June 1994, John Edmonds, general secretary of the GMB union accused Pru salesmen of giving "bad advice" to workers who were persuaded to leave public-sector schemes.

The altered nature of the Lauto inquiry was announced by the Prudential itself. The company said that it was standing by a promise by its former chief executive, Mick Newmarch, to release news of a formal investigation, because this was "price sensitive information". In the event, Prudential shares fell by 7½p, to 318½p.

The reference to "price sensitive information" was first made in a leaked Lauto memo that surfaced last July. The memo, which confirmed widespread suspicions of an

investigation into the Prudential, spoke of a "sharp telephone interchange" between Mr Newmarch and Kit Jebens, then chief executive of Lauto. Responding to a request from Lauto that the investigation, which had been running for four months, be made formal, Mr Newmarch complained that this would hit the share price.

Yesterday, the mood at the Prudential was more conciliatory, seemingly in tune with the new regime under Mr Davis, formerly of IPC. A spokesman said: "We are co-operating fully with the investigation and hope that it will be resolved in the near future."

The spokesman said that there was no connection between the inquiry announcement and the company's disclosure last week that it was making specific provision against compensation for any pension mis-selling. This provision, he said, covered possible compensation payments arising from the general pensions review being carried out by the chief regulator, the Securities and Investments Board.

Until Mr Newmarch's departure, two months ago, there was no specific provision against compensation, because he denied any questionable selling practices. This remains the stance of the company, which yesterday released a statement defending its conduct.

It said: "The Prudential's approach to transfers was straightforward. Company representatives were forbidden to make positive recommendations in favour of transfers. They could, however, accept business where the customer wished to transfer 'preserved' benefits. We believe that our approach complied with Lauto's rules. Where there was any doubt about the advisability of transferring, we said so."

Since 1992, Lauto has imposed fines totalling £3.5 million on various operators.

Pennington, page 23



## Royal Doulton breaks mould with astounding figures

Lynn Summer, a ceramic artist at work for Royal Doulton, the china-ware company. It kept tight control of overheads and did not have to pay management charges to Pearson, its former parent, enabling it to quadruple profits last year (Susan Gilchrist writes).

Pre-tax profits were £12.6 million (£3 million) in the year to December 31, its first full year as a public company.

Earnings per share rose to 15.4p from 10.6p. The bottom line benefited from the absence of a £2.3 million management charge and £351,000 of demerger costs

in the previous period as well as strict cost control. The cost of sales remained virtually flat in spite of a 2.5 per cent rise in turnover.

Demand picked up in North America

after a sluggish first half. However, recovery in the UK petered out during the course of the year.

The group's overseas expansion continues with the formation of a joint venture in Indonesia. A final dividend of 5.75p, payable on June 2, brings the total to 7.5p, against a notional payout of 6.6p in the previous year.

Pearson results, page 23

## Profits and shares slide at Inchcape

By SARAH BAGNALL

SHARES in Inchcape tumbled 22p to 278p yesterday after the motor, marketing and services group made its third profit warning in less than a year. The share price has halved since last March.

Inchcape, the world's largest independent car distributor, issued the warning as it unveiled a drop in profits from £271.4 million to £228.4 million for the year to December 31.

Profits were marginally ahead of analysts forecasts, which had already been cut in January after the group's warning that it would fail to match market expectations.

The company surprised the City yesterday with the warning that profits in the first half of 1995 would be significantly below those of the first half of 1994. The news prompted analysts to cut their 1995 forecasts, which had already

been downgraded in January. Nyrén Scott-Malden, an analyst at Barclays de Zoete Wedd, yesterday lowered his forecast by £50 million to £200 million.

City projections range from about £180 million to £200 million, down from about £230 million to £250 million previously.

The decline in profits reflects a sharp fall in profits from the group's motor import and distribution business, which was partly offset by increased profits from motor retail, marketing and services.

Profits from importing and distributing motor vehicles fell from £106.1 million to £62.6 million, due to the continuing strength of the yen and tough trading conditions in most of the group's markets.

Charles Mackay, chief executive and deputy chairman, said: "We were never in any doubt that 1994 was going to

be a challenging year. In the event, we were also confronted by a number of external factors that, quite frankly, were beyond our worst predictions and almost entirely out of our control."

Motor retail profits rose from £67.6 million to £80.4 million while marketing profits advanced 29 per cent to £75.4 million and services profits increased by 16 per cent to £60.7 million.

Hogg Group, acquired in June, contributed £4 million to profit, of which £700,000 relates to discontinued operations.

In spite of the fall in profits, the group held the final dividend at 9p, making a total for the year of 15p, up from 14.8p last time. The dividend, due July 3, is being paid out of earnings of 26.8p a share, down from 33.9p last time.

Tempus, page 24

## M&S looks to open in Germany and China

By SUSAN GILCHRIST

MARKS & SPENCER, the UK's most profitable retailer, is set to expand further overseas with the development of a chain of stores in Germany and the opening of an office in China.

Keith Oates, M&S's deputy chairman and joint managing director, said Germany was an obvious choice because it is the largest clothing market in Europe. The group is looking for sites initially in the Ruhr and Hamburg regions. "Our only constraint will be finding prime sites at the right price," he said.

The move into Germany follows successful expansion in France, Belgium, Spain and The Netherlands. The group now has 26 stores in continental Europe, which together generated £247 million of sales last year. Expansion into Italy is under consideration.

The group has also applied to establish an office in Shanghai to evaluate opportunities in China. With a population of 1.2 billion and an emerging middle class, Mr Oates said the country offers enormous potential. M&S already has seven stores in neighbouring Hong Kong and some of its suppliers such as Coats Vivella have established operations in the region.

Expansion of the M&S chain into Japan, however, has been ruled out for now. Mr Oates said the group had been deterred by high property costs, making such a move uncommercial.

Opening soon, page 25

## Thomas Cook chief executive forced out

By PATRICIA TEHAN

CHRISTOPHER Rodrigues, chief executive of Thomas Cook, has been ousted. He leaves next month, to be replaced by Hans Zierke, head of London operations of Westdeutsche Landesbank, which owns 90 per cent of the company.

Mr Rodrigues, in a letter, told staff that he would be leaving. He said he had "every intention of getting back into the saddle in the autumn".

Yesterday, he refused to discuss the terms of his payoff, but said that, after WestLB's decision to integrate its financial services and travel businesses, he "came to a mutual and amicable agreement that, after seven years, it was good for them to have a WestLB person running the company".

However, he was in jovial mood, saying that top of his list of things to do was "to row from the mouth of the Thames to Twickenham lock" in "a three-men-in-a-boat special".

Mr Rodrigues has been

chief executive of the company since August 1992, having joined seven years ago as chief operating officer, and headed the reshaping of Thomas Cook's operations last year.

News of his departure came as Thomas Cook unveiled poor profit figures for last year. While the pre-tax figure rose from £31.6 million to £60.7 million, the bulk of this came from a £39.4 million profit on selling its business travel operations to American Express in September.

The company said that the travel market was depressed, but sales of foreign currency and travellers cheques were strong.

WestLB bought Thomas Cook from Midland Bank two and a half years ago. Recently, there have been rumours that a sale was likely. This was denied yesterday by Dr Johannes Ringel, chairman of Thomas Cook and a member of WestLB's managing board, who said that the bank's commitment to the travel company was "unwavering".

Mr Rodrigues' departure comes after a tricky few months. Michael Heseltine, President of the Board of Trade, last week imposed conditions on the company's acquisition of Barclays' travellers cheques business, Interpayment Services (ISL), which was completed in November.

In January, Mr Rodrigues left the board of First Choice, the UK holiday firm previously known as Owners Abroad, replaced by Wolfgang Trube, a manager of a WestLB subsidiary. The German banking group indirectly owns 21 per cent of First Choice.



Rodrigues' jovial mood

Inflated qualifications, invented MBAs and fictitious degrees

## High-flyers who are expert liars

By JON ASHWORTH

BRITAIN'S boardrooms are infested by cheats and liars — at least, if an alarming survey on job seekers is to be taken at face value. Random checks on the CVs of applicants in the £30,000-£80,000 salary range revealed a disturbing catalogue of invented MBAs and massaged grades.

An analysis of three to four months' activity by NB Selection, Britain's largest executive recruitment firm, exposed 16 cases of candidates who were not what they claimed to be.

Inflated qualifications and fictitious degrees were commonplace, particularly among would-be chief executives, managing directors and general managers. Candidates seeking posts worth £50,000 or more were found to be twice as likely to falsify qualifications than those applying for less senior positions.

David Timson, managing director of NB Selection, said the firm's research applied more to middle-management than captains of industry. The incidence of fudged CVs is on the rise, he said. "The workplace is still

fiercely competitive, and there are misguided people out there who feel they have to create something to be able to compete with those who have good degrees."

Mr Timson accused "less reputable" outplacement consultancies of encouraging job-seekers to stretch the truth in their efforts to find work. An example would include putting "business science course" under education, failing to mention that they had never actually obtained the degree or certificate.

Some hopefuls go way beyond the

occasional blurred date or fudged qualification in the hope of furthering their careers. Andrew Rooke, a former operations manager at Bayerische Landesbank Girozentrale, claimed that he was a member of the Institute of Chartered Accountants, had 7 A-level passes, had attended various centres of learning and possessed actuarial and taxation qualifications. It was all untrue. Mr Rooke was exposed by the Securities and Futures Authority and left Britain after losing his City post. He is reported to be thriving in his new job... in Moscow.

Dear John,  
Many thanks for arranging my 5.69% fixed rate mortgage. Up until now, I had assumed the letters OD were pre-printed on my bank statement.  
Yours,  
A Shaw

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# UK joins court fight over power monopolies

By ROSS TIEMAN, INDUSTRIAL CORRESPONDENT

BRITAIN has joined a court case by the European Commission designed to force five members of the European Union to open up their electricity markets to competition. A "statement of intervention" has been lodged by Britain with the European Court of Justice in The Hague, arguing that energy markets in the United Kingdom work effectively without the need for import and export monopoly purchasers.

The Commission's court case is the latest battle in a five-year campaign to end monopoly practices in energy markets across the EU. In its court documents, the Commission claims that monopoly import and export organisations run by state power companies in France, Italy and Spain are in breach of the Treaty of Rome. The Commission is also taking action against import monopolies in The Netherlands and the Irish Republic, and against the French state gas company, Gaz de France. Earlier plans for action against

Denmark have been dropped. Tim Eggar, Britain's Energy Minister, said: "The United Kingdom has intervened in support of the Commission because we maintain that there can be no justification for these import and export monopolies."

The United Kingdom action comes less than a week after the Commission produced new draft proposals designed to win a compromise on the vexed issue of energy market liberalisation.

Under prolonged pressure from Martin Bangemann, the German Energy Commissioner, and several member states, the EU has produced various proposals designed to open energy markets across the community to competition. Mr Bangemann maintains that a free market in energy is essential to ensure the competitiveness of the Union's industry and economy. The economic liberals have faced

doughty resistance led by France, Italy and Spain, which claim that their state monopolies are essential to preserve stable prices and prevent power cuts. In its latest proposals, unveiled last week, the Commission is seeking to break down the monopoly on two fronts. First, it is seeking a right of third party access to monopoly distribution networks. That would allow private sector companies, either domestic or overseas, to sell energy direct to industrial customers, paying a fee for the use of the gas or electricity grid.

At the same time, the Commission said it was willing to accept a modified version of French proposals for a "single buyer" approach. That would open the door to competition in power generation, but restrict direct access to customers.

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Ron Spinney, chief executive, has changed the shape of the group's portfolio

## Hammerson eyes Germany

By CARL MORTSHED

HAMMERSON, the property group that went on a £100 million buying spree in France last year, is shifting its focus towards Germany with plans for acquisitions in the retail sector.

Ron Spinney, Hammerson's new chief executive, has changed the shape of the group's portfolio, selling Australian assets and reinvesting the proceeds in retail and office properties in France and Britain.

Hammerson's year-end net

asset value of 375p, up 9 per cent, failed to impress the market because of a weak performance from overseas assets. But Mr Spinney intends to continue to buy property on the Continent, suggesting that Germany could move from 8 per cent to 10 per cent of Hammerson's £1.6 billion portfolio.

Shares in Hammerson slid from 319p to 315p on news that the portfolio was only 1.1 per cent with UK properties up 3.6 per

cent overall, while France, Canada and the US all fell. Rents grew 2 per cent to £120 million.

Underlying profits rose from £32 million to £53 million in 1994, but the pre-tax figure jumped to £107 million helped by a £35 million profit on the sale of Hammerson's Australian portfolio. The final dividend is held at 6.5p, making 10p for the year after earnings per share of 14.3p (10.2p).

Tempus, page 24

## Insolvency records sold to credit agencies

By FRANCES GIBB  
LEGAL CORRESPONDENT

COURT records listing companies that are threatened with legal action by creditors are being sold and passed on to credit reference agencies in what lawyers claim is a breach of the law.

The Lord Chancellor has been asked to investigate what is thought to be a recent widespread practice among most county courts in England and Wales to allow credit-check companies to inspect insolvency registers for a fee of £5 an hour.

The records, which contain unpublished details of all winding-up petitions lodged against companies by creditors, are being passed to credit reference agencies and banks, in some cases before companies even know that they have a creditor pressing.

As a result of the records being passed on prematurely, many companies are at risk of having credit facilities wrongly withdrawn from them, forcing them to collapse, lawyers say.

Warren Usden, a solicitor with Hammelburger Marks in Manchester, is taking up the matter with the Lord Chancellor's Department.

He said: "Not only are court records being distributed for profit, which seems to be against the public interest, but there is clearly scope — as in a recent case I dealt with — for a petition to be publicised, even before the respondent company has had the opportunity to test its validity. It is not difficult to see how irreparable damage can be done to companies which find themselves in such a situation."

Peter Griffiths, a barrister specialising in company insolvency, said: "Although often the company is going into liquidation anyway, in some cases the company is not actually insolvent — the petition has just been presented by someone maliciously or the company itself may have been slow in paying up."

He added: "Companies will have the plug pulled on them by banks and in some cases wrongly."

The Lord Chancellor's Department said that the question of access to the records was a matter for the discretion of the judge.

## Cooke given £500,000 Telegraph handshake

THE former managing director of The Telegraph newspaper group stepped down with a golden handshake worth more than half a million pounds last year, and kept his place on the board. Joe Cooke received £524,296 as compensation for early termination of his service contract when he stepped down in June, according to the 1994 report and accounts. He was appointed non-executive vice-chairman, and remains a director. He was succeeded by Stephen Grabner as part of a reshuffle that saw Daniel Colson appointed chief executive. Conrad Black, chairman, saw his salary rise to £265,000 (£237,000). The emoluments of the highest-paid director fell from £692,000 in 1993 to £382,000 last year in the absence of payment of discretionary bonuses. Mr Colson was the top earner in 1993 on the back of a one-off £480,000 bonus relating to his role in restructuring John Fairfax, the Australian group, in which The Telegraph has a 25 per cent stake. The company declined to name the highest-paid director in 1994.

## S&N in Courage talks

SCOTTISH & NEWCASTLE has confirmed an interest in buying Courage, the Australian-owned brewer, which could lead to the creation of Britain's biggest brewer. The stock market believes such a deal could be worth up to £600 million. S&N said yesterday that it had been in discussion with Foster's, Courage's parent, "with regard to the future ownership of Courage" and that no further announcement would be made until an agreement, if any, was reached. Such a deal has been expected for some months. S&N has already said it has been looking at a restructuring of its operations in the UK.

## Ferry company down

THE Isle of Man Steam Packet Co, which provides ferry services to Liverpool, Belfast and Dublin, saw profits drop by £1 million to £25 million in 1994 after incurring losses of £2 million on Mannin Line, a new North Sea freight service. The board said that it was reviewing Mannin's position after stormy winter weather again affected reliability, causing the operation to continue to trade at a loss. The total dividend is held at 5.5p a share, with an unchanged final payout of 3.75p, due to be paid on May 8. Earnings declined to 7.6p a share from 10.3p. Results in 1993 included a £1 million exceptional charge.

## Taylor Nelson soars

TAYLOR NELSON AGE, the market research company, increased pre-tax profits by 49 per cent last year to £6.2 million, helped by a growing demand for customer information. The dividend for the year has been raised 42 per cent to 0.64p, with the final payment of 0.34p due on July 3. Turnover rose 10 per cent to £61.5 million and earnings per share were 45 per cent higher at 1.83p. The firm's consumer divisions contributed half the profits, but Tony Cowling, chief executive, said that Taylor Nelson's four divisions "the star of the show was our healthcare division."

## Peace boosts Fitzwilson

THE impact of peace in Northern Ireland is expected to reap further benefits for Fitzwilson, the Irish industrial holding group that owns Wellworth, the Province's leading food retailer, and a 9.4 per cent stake in Waterford Wedgwood. The group returned to the black with pre-tax profits of 1r48.5 million in 1994, after 1993's disposal of 1r41.3 million loss. Tony O'Reilly, chairman, said: "Increased spending generally in the Province is allied to more cross-border traffic. There is a final dividend of 1.25p, payable on August 18, bringing the total to 2.25p for the year."

## Forth Ports to bid for Dundee

By ROSS TIEMAN, INDUSTRIAL CORRESPONDENT

FORTH PORTS is to bid for the Port of Dundee when its smaller northern neighbour is offered for sale in May. "It would complement our business quite nicely," said Hugh Thompson, chief executive of Forth.

Concentrating on dry cargoes such as animal feed, grain, forest products and fertiliser, Dundee generates annual revenues of £5 million and £100,000 of post-tax profits. It is among a number of smaller ports that are being obliged to shed their trust status by the government.

A management buyout team, and perhaps other ports, are expected to compete for the assets. Forth's ambition to acquire Dundee was

revealed by Mr Thompson alongside figures that show how Forth, itself a former trust port, has succeeded in driving up profits since its privatisation in 1992.

Pre-tax profits for the year to December 31 rose 43 per cent to £13.7 million. Revenues rose 8 per cent to £35.7 million as containers and tonnage throughput reached record levels on the back of a stronger Scottish economy. Final dividend will be 7.25p, making a total 9.95p, up 37 per cent.

Forth, in strongly expansionist mode, is also planning a roll-on, roll-off Irish Sea terminal and has joined the Rosyth 2000 consortium that aims to acquire the Rosyth naval and royal dockyards.

## ICG lifts profits past £18m

Intermediate Capital Group, a provider of mezzanine capital for buyouts which was floated last June, increased pro forma pre-tax profits 17 per cent to £18.1 million for the year to January 31.

The year's dividend, at 11.5p, is 16 per cent higher than it would have been if the company had been listed in the previous year. The final 7.75p is to be paid on May 19.

## Energy hope

Monument Oil and Gas says that the imminent start of production from the Liverpool Bay development and Argentina's Sierra Chata will transform profitability next year. Heavy investment deterred it from paying a dividend for 1994. Pre-tax profits eased to £7.6 million (£7.86 million).

## Nestor loss

A £45 million charge against selling its hospitals and nursing homes left Nestor-BNA, which now concentrates on providing carers, with 1994 pre-tax losses of £81,000 against £4.5 million profits the previous year. A final dividend of 2p (same) makes 3.15p (same).

## Goldsmiths considers Signet buy

By GEORGE SIVELL

GOLDSMITHS, the jeweller, said yesterday that it would give serious consideration to acquiring parts of Signet's UK jewellery business, but added that it was not currently in negotiations with Signet.

However, Argos, the retailer, declined to comment on suggestions that it would be interested in making an offer for Signet's Ernest Jones or H Samuel chains. Argos, however, has said that it is keen to raise its present share of the jewellery market from 7 per cent.

Signet said it had yet to hear from a group of American investors who are understood to be seeking to call a shareholders meeting to vote on a possible break-up of Signet.

Goldsmiths said yesterday: "We have undertaken feasibility studies on the merit of acquiring parts of Signet's UK jewellery business in conjunction with venture capitalists. We would only consider acquiring any UK jewellery business if such an acquisition were clearly in the best interests of the Goldsmiths and its shareholders."

## T&S raises dividend

THE National Lottery has proved a mixed blessing for T&S Stores, the convenience store and newsagents group. Quieter neighbourhood stores have coped adequately with the extra trade, said Kevin Threlfall, chairman. But the busier Superstore outlets have struggled to cope with weekend queues. With about 300 stores selling tickets, T&S had secured more than 2 per cent of the market, he said. T&S lifted pre-tax profits in 1994 to £13.9 million (£12.6 million) and earnings to 14.53p a share (13.44p). There is a final dividend of 3.5p a share, due May 26, making a total of 6.5p (6.1p).

## THE TIMES Training videos offer

DO YOU want to make a powerful impression on your boss and be influential in your office? *Winning Ways*, a training video featuring the late Brian Redhead, tells you how.

In a witty and penetrating conversation Redhead and Andrew Kakabadse, professor of management at Cranfield School of Management, make points which are vital to people who work for organisations and are deeply interested in enhancing their careers.

Another video, *Mentoring*, explores one of the fastest-growing methods of developing people within a business.

Mentoring is a way in which experienced staff help other people through transition periods, perhaps by showing them new skills or by helping them adjust to a new job.

*Winning Ways* runs for 27 minutes. *Mentoring* for more than 19 minutes. These videos are normally sold at £49 each. *Times* readers can buy them for the special price of £49 for two, inclusive of post and packing.

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Investigating the Pru is yesterday's issue □ Towards a single market in energy □ Building society blues

## Tale of the dinosaurs

REGULATORS do not care to be scorned. Their network reaches far and their vengeance can be unforgiving. Only in that mildly melodramatic context can the outside world make sense of yesterday's announcement from the Prudential, that it is under formal investigation by the Life Assurance and Unit Trust Regulatory Organisation.

Those who follow these arcane matters will recall that Lauto had been looking at the Pru's past pension selling practices for almost twelve months. It has vetted a long string of other pension providers, going on to line big name rivals such as Norwich Union, Legal & General, Scottish Widows and J Rothschild Assurance up to £300,000. Over-enthusiasm in selling transfers from occupational schemes to personal pensions was a cause célèbre.

Lauto's examination of Prudential business became public knowledge last summer, in the form of a leaked Lauto memorandum. That can hardly have come as a big surprise. Prudential had nearly a tenth of the pensions market. It had always claimed its selling practices were proper, but they had featured in complaints from, for instance, the GMB union.

However, that was an informal investigation. The memo explained the vigorous per-

sonal efforts of Mick Newmarch, then the Pru's forceful chief executive, to make sure it remained informal. Otherwise, he argued, he would be forced to tell the Stock Exchange, leading to unknown direct effects for the Pru and its shareholders, when bad practices had yet to be found.

The regulatory scene has moved on. The Personal Investment Authority is now ruling the pensions roost, forcing firms big and small to enormous expense to check that they did not sell pensions that their customers might legitimately regret. The Pru refused to join what Mr Newmarch regarded as a spoof self-regulating organisation, preferring the statutory but ill-equipped Securities and Investments Board. But it is going through the same exercise as virtually everyone in the industry, setting aside £25 million for the cost and an unspecified sum for possible compensation.

Lauto, along with Fimbra, had been killed off, enduring in a half-life to fulfil its commitments. Mr Newmarch has gone in a puff of publicity, not waiting to be exonerated personally after a

Stock Exchange inquiry into sales of option shares.

In the world of bureaucracy, Lauto's formal probe is doubtless a key step forward. It would allow a fine to be imposed for error, though minuscule against the marketing damage already done. It will show that the Pru's opting for regulation by the SIB has not been accepted, forgiven or forgotten. For real folk, this is an irrelevance. In a few years time, the Pru will still be there but financial regulation will have changed fundamentally and the characters in today's official soap opera will be consigned to the archives.

### Breaking Europe's power monopolies

PRISING open Europe's energy markets is like watching children in a dentist's waiting room. Prospective patients, unconvinced of the benefits and aware of the impending pain, are hauled howling to the chair. One by one they emerge, shaken, but dry-eyed.

Within hours, they are enjoy-



ing their toffees with renewed vigour. Around a third of European Union members have now braved the trauma of liberalising electricity and gas markets. The Nordic states, Germany and Portugal have, like Britain, concluded that the pain of job losses and dislocation is worth the competitive gain. The Netherlands, Belgium, the Irish Republic and Greece are wavering. But in a frantic band, France, Spain and Italy still scream defiance in the face of a five-year campaign by the European Commission to break their monopoly practices.

Britain's belated decision to submit evidence to the European Court that the country has suffered no wave of power cuts in

the wake of liberalisation is a calculated attempt to get laggards into the dentist's chair. If the court accepts the argument, the defendants' plea for exemption from the Treaty of Rome rules in order to protect security of supply will fail.

The court may take a year to rule. But the looming day of judgment should help the Commission, and free marketers in the Council of Ministers, to push a new, liberalising directive on to the statute book.

Providing Europe's consumers and factories with electricity and gas at prices that reflect the cost of production and distribution will cause pain. France makes its excess of nuclear base load generating plant economic by exporting surpluses to its neighbours. Germany uses subsidies to exclude cheap British coal. Customers come second to producers.

Britain grossly underestimated the scope for efficiency gains through competition in generation, and a well-regulated monopoly supply regime.

At a minimum, Commission proposals must allow com-

petition in supply, and effective third party access to the distribution network. EU citizens should ask why Britain, alone, is providing the Commission with the legal support it deserves.

### Cheltenham's walls of silence

CHELTHENHAM & Gloucester's attitude to its members became, on Saturday, quite literally one of dumb insolence. Faced with a packed meeting called by those unhappy about the latest terms of C&G's takeover by Lloyds, the board simply declined to answer a stream of questions from the floor.

The directors won the vote. But they scarcely encouraged any voting member to support them at the official merger meeting on Friday. Except, perhaps, that their behaviour showed what a sham the mutual status of societies has become. Surely no public company would treat its shareholders with such seeming contempt, whatever the excuse. The Lloyds deal appears to have been driven by business and

managerial issues. The problems that earlier proposals ran into, which were not fully rectified, suggest that the financial interests of 1.3 million members did not have top priority.

People's membership was worth nothing tangible before, so anything offered to them was a bonus. If only some could benefit, the rest lost nothing. Such patronising ideas show how urgent are the Government's efforts to make building society boards more accountable to members in practice.

At least, the Lloyds deal did crystallise considerable value in C&G for the benefit of members. A conventional building society merger would not have done that. But if mutuality is to go, releasing the value of the business, there appear to be better ways of doing it. Pending a High Court ruling due today, the course chosen by the Halifax and Leeds permanent societies looks a superior model. It should include all well-established members and allow a permanent stake to be maintained.

Ideally, however, conversion to plc status should be the first step if a mutual society is to change its shape fundamentally. Real shareholders could then decide on any mergers or takeovers the board might propose—and any alternative choices offered in a free market.



Pearson board members, from left, James Joll, Frank Barlow, David Veit and Lord Blakenham

## Mindscape blow for booming Pearson

By MARTIN WALLER

PEARSON'S Mindscape software business, bought for £310 million last May and feted as a significant new direction for the media-to-merchant-banking combine, contributed just £3.5 million in operating profits to the company in the first eight months of ownership.

This was about half City estimates, and the shortfall contributed to a 15p fall in shares in Pearson to 56p despite a healthy 43 per cent rise in headline pre-tax profits during 1994 to £297.8 million.

Lord Blakenham, the chairman, accepted that Pearson had paid a "substantial price" for the Californian company which took the group into interactive computer software, but denied he had overpaid.

The market for many video-

game cartridges suffered last summer from a drop in demand after Sega and Nintendo, the big computer games groups, boosted promotional spending on their own titles. Frank Barlow, Pearson's managing director, admitted Mindscape's performance was "disappointing", adding: "It's been a much tougher debut for Mindscape than we would initially have liked."

But Pearson believes the fall in the cartridge market allowed the company to concentrate on its strengths in CD-Roms, widely accepted as the technology of the future in interactive programmes. Sales of these mushroomed from 16 million to 54 million in the US last year, Lord Blakenham said. "This is an exciting,

expanding, explosive market that we need to be in."

Group pre-tax profits were boosted by a much higher contribution from BSkyB, in which the group holds 14 per cent, by the first full-year contribution from Thames TV and by a strong performance from newspapers, including the Financial Times.

BSkyB, floated in December and half-owned by News International, parent company of The Times, contributed £57.6 million at the operating level, up from £6.9 million in 1993, after a £31.3 million maiden dividend payment.

The entertainment division, which includes Penguin books, BSkyB and Thames, saw operating profits double, from £62.2 million to £129.5 million. Edu-

cational publishing, hit by a downturn in the sale of college books in the US, fell 8 per cent to £51.2 million. The information division gained 41 per cent to £84.7 million.

The Lazard merchant banking operations, half-owned by the group, saw attributable profits fall by 17 per cent to £30.2 million.

The group is paying a 9.25p final dividend that makes a total 22p higher at 15p out of adjusted earnings per share of 7.25p. Revenue rose 22 per cent to 34.1p. Lord Blakenham said the intention was to raise dividends at a rate greater than the historic 2 per cent long-term real growth rate achieved by the UK market in recent decades.

Tempos, page 24

## Storehouse backs profit-related pay

By MARTIN BARROW

EMPLOYEES of Storehouse, the retailing conglomerate, have shown faith in the continuing recovery of their once-ailing company by voting in favour of a profit-related pay scheme that will replace a conventional annual pay rise.

More than 11,700 employees of the company, whose interests span BHS, Mothercare, Blazer and One Up, voted by a large majority to convert up to 20 per cent of their pay into a profit-related scheme. The new scheme, which starts next month, applies to all staff working at least 12 hours a week. Most staff will see their after-tax pay increase by between 4 per cent and 7 per cent. Storehouse estimates, at no extra cost to the company.

Under the new scheme, rules, 20 per cent of pay (up to a maximum of £4,000 a year) can be related to profit and

paid tax-free, provided at least 80 per cent of eligible employees vote in favour of the scheme. Storehouse said its staff would also be eligible for an annual profit-related bonus pegged to profit targets.

The scheme is being introduced as the streamlined company rebuilds profitability after a lengthy period of retrenchment. There were losses of £8.3 million and £17.5 million in 1990 and 1991 respectively, with profits of £15.8 million and £15.2 million in the following two years, before recovering strongly to £62.4 million last year.

Steve Bedford, group development director, said: "With low inflation and with the prospect of increased sales and profits on the back of a major investment programme this is an ideal time to introduce the scheme."

## Big cost savings boost Caradon

By SARAH BAGNALL

CARADON, the building materials group, yesterday revealed a 52 per cent leap in full-year profits, reflecting a tight control of costs and volume growth in its core businesses.

Profits before tax and exceptional items rose from £132.2 million to £201.2 million in the year to December 31. Including one-off items, 1993 profits reached £213.4 million, boosted by a £100 million exceptional profit on the sale of its stake in Carnaud Metalbox.

Peter Jansen, chief executive, said profits benefited from £40 million of cost savings, largely achieved through improved productivity.

Further savings are expected, he added, reflecting Caradon's enhanced purchasing clout after its £808 million acquisition of Pillar in October 1993. Group turnover rose

sharply from £960.7 million to £2 billion, while margins rose from 8.9 per cent to 10.3 per cent.

Profits advanced in all core businesses—plumbing, doors and windows, electrical, structural building products, automotive and plastics, and distribution and aviation.

Volume gains were achieved in all the businesses except plumbing, the only activity unaffected by the Pillar acquisition. The blot on the copybook remains security printing, which saw profits slip 23 per cent to £39 million on sales of £199.6 million, down from £121.1 million.

The final dividend, due on June 2, was lifted to 6.6p, making a total of 9.5p, up from an adjusted 8.79p. Earnings per share rose 31 per cent to 19.5p. The shares fell 3p to 262p.

## Ulster TV pays peace dividend

PEACE in Northern Ireland helped Ulster Television to increase advertising revenue and sponsor-ship income by almost 13 per cent last year, outperforming a 7 per cent rise achieved by ITV companies collectively. Growth has continued at a healthy pace in the first quarter of this year (Martin Barrow writes).

The company said continuing peace would boost investment and jobs, although it cautioned that a reduction in spending on security would have a negative impact in the short term. It claims the highest viewing share of all ITV companies, at 44 per cent.

The 1994 dividend is being increased to 20p from 15p previously, with a 12.5p final (8.75p). Taxable profits rose to £7.5 million from £5.1 million and earnings to 48.1p a share from 31.7p. The shares rose 11p to 646p.

## ShareLink price soars as talks are confirmed

By PHILIP PANGALOS

SHARES in ShareLink Investment Services jumped 24p to 206p after the Birmingham telephone share dealing company confirmed that it is holding talks that may lead to an offer being made for the whole group.

Confirmation of the talks comes after a strong rise in ShareLink's share price over the past few weeks, driven higher by a combination of private buying in thin conditions, a general upturn in trading volumes and bid speculation.

Market speculation on a possible suitor centred on Charles Schwab, the US retail broker that recently established a presence in the UK.

ShareLink, Britain's biggest private investor dealing service, said that it is holding preliminary discussions which may or may not lead to an offer for the whole company at a modest premium to 200p per share. This would value the group in the region

of £35 million and upwards. ShareLink said a further announcement would be made in due course.

Any successful offer would reap further substantial rewards for David Jones, ShareLink's founder and chief executive, who is already a millionaire and is sitting on a near 15 per cent stake. ShareLink's share price has



Jones substantial rewards

seen mixed fortunes since the company came to the market in 1993 at a price of 250p. They traded above the £4 level in late 1993 and early last year, but the initial euphoria, driven by healthy business levels on the back of privatisation issues, soon faded as depressed market conditions took a grip.

The shares slumped as the early bear market prompted a profit warning last September when turnover volumes dropped sharply and stock market prices fell in volatile and competitive conditions.

In November, depressed market conditions and low investor confidence were blamed for a slide into the red at the halfway stage.

ShareLink suffered a pre-tax loss of £468,000 in the six months to September 30, compared with 1993's profit of £3.68 million boosted by privatisation business.

Tempos, page 24

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**Philip Cushing, Inchcape managing director, left, Sir  
Plastow and Charles Mackay, chief executive**

[illegible]

12



## THE TIMES CITY DIARY

### World class in Wengen

PHILEAS FOGG took 80 days to go round the world. Willie McLucas, the lively investment manager of mining finance house Waverley Mining, recently did it in four. How? By squeezing Australia, Alaska, South America (including north and south Patagonia), Russia and Scotland into one conference room in Wengen, Switzerland, in which chiefs of the companies in which Waverley is invested outlined their investment case to UK fund managers and brokers. Useful tidbits come out of rooms in Switzerland, including the planned London listing of at least three new companies. One, the Scottish Coal Company, whose executives include several who used to work for British Coal, is market bound. Two, Eurasia Mining, which is dedicated to gold mining in the Urals, is undertaking a £25 million share placement and wants to transfer its domicile from Australia to London. Three, Monto Minerals, which in Queensland is developing an ilmenite deposit (the stuff that puts the white into paints) over an area whose length equates to the distance from London to Birmingham, wants to be quoted in London. Watch this space.

### Christmas spirit

IAN FORSYTH, in-house analyst at Winterford Securities, must be wondering if there is ever a month when he is not feeling it is Christmas. He celebrated the festival at home on December 25. He was in Wengen recently, home of the British-founded DHO (Down Hill Only ski club) and where even the vicars ski, and where the village is still bedecked with Christmas decorations. In his diary, he has an entry for April 27 which reads "Office Christmas Party" - when Brian Winterford, the founder, hosts his traditional Christmas-in-April bash. When Winterford was established in 1988, it didn't make enough money by December to throw a party. But it made a profit in April, and now is one of the most popular annual out-of-season City events.



Even vicars cut a dash

### Sporting types

THEY really are sporting chaps at Wm de Broe, the broker. To Joe (I have never been on the Northern Line) Nally of corporate finance, a team medal for skiing, and an individual prize of a Champagne stopper. As the judge explained "for stopping last at 6.30am". And to Jeremy Read, who had never skied before, let alone been on a toboggan, the prize for being the last down the mountain. But there is no point in phoning the London office to congratulate him. Read, in keeping with his reputation of being "the Alan Whicker of the firm" was in Russia last month, in Wengen earlier last week, then Finland - and is now headed for China.

WHAT do you give to Antony Doullon, a many times great-grandson of the founder of the fine china group, when you discover that he only ever buys, and never sells. Why, a pair of cufflinks engraved "self" on one link and "buy" on the other.

COLIN CAMPBELL  
Wengen

# Fight is on to sell Telekom to Germany's sceptical Sids

Germans' thinking needs a shake-up for their telecom flotation to succeed, says Eric Reguly

**T**he drive to privatise Deutsche Telekom, the third-largest telecommunications company in the world, is gaining momentum. Yesterday the German Government announced that it will make telephone licences freely available to competitors when it dismantles Deutsche Telekom's monopoly in 1998. It wanted potential investors to know now that it will not protect the company from market forces.

The German authorities are due next week to announce which financial communications firm will play the lead role in the equity sale, worth an estimated £10 billion. London firms, which have the most privatisation experience, are top of the list. Insiders say that Deutsche Telekom, which was shrewd enough to submit its proposal in Germany, is a leading contender. Deutsche Telekom's main concern is that Deutsche will have its hands full with the Railtrack privatisation.

Other contenders include Shandwick Communications, and Hill & Knowlton and Burson-Marsteller, both of which have offices in Germany. Brunswick, which handled the BT3 share sale, is not thought to be in the running. The beauty contestants strut across the stage for the last time on April 4: the envelope revealing the winner of the £1 million plus account will be opened a few days later.

The winner faces an enormous challenge. It will have to co-ordinate the international public and investor relations for the biggest European privatisation of 1996. When the sale is completed, Deutsche Telekom will displace Allianz, the German insurance group, as the largest company on the Frankfurt Stock Exchange.

More importantly, it will have to develop the sales strategy in Germany, where equity ownership is largely an alien concept. British Gas found Sid, but the average German investor keeps his money in savings accounts and risk-free government bonds and views shares with suspicion; they are the investment tools of institutions and the rich. Phil Swallow, BT's regulatory affairs adviser in Germany, said: "There is a lot more interest from the business community than from individuals. I don't sense that the average person wants to rush out and buy the stock."

The consequences could be dire if the German investor fails to warm to the idea of becoming an owner of Deutsche Telekom as well as a customer. The Government, to its embarrassment, would have to rely on foreign markets to soak up the issue. At the moment, it hopes to sell at least half the shares in Germany. A failed domestic sale would jeopardise future privatisations and humiliate Frankfurt, whose ambition



Theo Waigel fears that competition will hit Deutsche Telekom's float

is to displace London as the financial capital of the European Union.

Since the early 1980s, there have been about 200 initial public offerings in Germany, but their combined value was a tiny DM22 billion (about £10 billion at current exchange rates). The first tranche of Deutsche Telekom alone will be worth about DM14 billion. According to Kleinwort Benson Securities, a co-leader of Deutsche Telekom's British tranche (led by SG Warburg), the total value of all the new equity sold in Germany in 1993 was a paltry DM1.5 billion.

Ludhansa, the last German privatisation of significant size, was hardly a runaway success. The shares, issued last year at DM182 through Dresdner Bank, have been trading at about DM172.

How will the Germans be convinced to

buy? A huge advertising campaign, along the lines of the BT sales, will be necessary and will have to appeal to unsophisticated and sceptical investors. "There's a big difference between telling someone that a privatisation is coming and convincing them it's specifically aimed at them, and not just the rich," a public relations executive said.

Germans also have to be convinced that Deutsche Telekom shares have a better chance of going up than down. This may be difficult, especially after yesterday's news that Wolfgang Bösch, the German Post and Telecommunications Minister, has decided against awarding a limited number of telephone licences when the market is deregulated. Any company that meets certain criteria, such as financial health and commitment to service, will be given



Bösch: opening the market

the chance to nibble into Deutsche Telekom's market. The announcement did not make Telekom look any more attractive, one analyst said.

Theo Waigel, the German Finance Minister, apparently shares the same concern. In a letter to Herr Bösch, he said that unfettered competition might jeopardise Deutsche Telekom's privatisation. Even without competition, the company has not been profitable. It reported net losses in 1991, 1992 and 1993, after paying a government levy of about 3 per cent of turnover (that levy ends this year).

Analysts think that Deutsche Telekom, like BT, will not lose a significant share of the residential market. However, it is vulnerable on the business side. BT, Cable and Wireless and AT&T, America's largest overseas telephone carrier, have Deutsche Telekom's business clients in their sights. BT recently established a European beachhead through a telecoms joint venture with Viag, the German industrial group. C&W set up a joint venture with Veba, another industrial conglomerate, and AT&T is talking with RWE, the German utility. "There will be tremendous pressure on their business market," the analyst said.

Deutsche Telekom, however, appears to have tremendous scope for cost cutting. It is bloated and inefficient, much like BT before it was privatised in 1984. It has 230,000 employees, plans to shed 60,000 of them by the end of the decade and may have to get rid of more. Kleinwort Benson, in a recent report, said: "We believe that both privatisation and competition will force the company to take further operating costs out of the business."

Kleinwort points out, for example, that the company has 62 employees per 10,000 telephone lines, against a European average of 51 employees and a mere 41 among America's Baby Bells, such as Bell Atlantic.

The Government and Deutsche Telekom's financial advisers can also structure the share sale to appeal to small investors. The Government has already given the market a psychological boost by dropping the shares' nominal value from DM50 to DM5.

Financial advisers are likely to recommend that the privatisation adopt some of the features that made many of the British privatisations so successful. Options include low commissions, tax incentives and payment by instalments over a couple of years.

The shares will be more attractive if they pay a relatively high dividend. The German equity market pays an average yield of 1.8 per cent, against 4 per cent in the British market. Simply beating the German market average will make the shares attractive to German retail investors.

Privatising Deutsche Telekom will require no less than a revolution within the company and German society itself. Deutsche Telekom will have to reduce its workforce and prices, learn how to compete with experienced providers such as BT and AT&T and please its customers with a novel concept called service. Investors will have to accept that government paper, while safe, is not the only route to financial independence. "The Telekom sale will," said one of the company's financial advisers, "involve huge cultural changes."

## Opening soon: Deutschemarks & Spencer

The quintessential high street store eyes new frontiers. Susan Gilchrist reports

**M**arks & Spencer is looked upon as the most British of British retailers. Its *St Michael* brand has become an icon of the high street in this country and sets the pace for its rivals. But now the quintessentially British chain plans to expand into the distant territory of China.

Some may be surprised at the move, but seasoned M&S observers know that the group has always had ambitious overseas expansion plans and has been quietly getting on with them for some time.

Unlike many of its competitors, who have gone down the path of high-profile acquisitions and in some cases, high-profile flops, M&S has primarily chosen the typically conservative route of organic step-by-step expansion. Keith Oates, M&S's deputy chairman and managing director, says the group's strategy is to grow gradually from its core UK base. "It's a bit like a pebble thrown into a pond," he says.

"The ripples move out slowly from the centre."

The group opened its first overseas store on the Boulevard Haussmann in Paris 20 years ago and now has almost 450 M&S outlets in more than 25 countries around the world. And there are more in the pipeline.

Germany is soon to be added to the list as well as China: Italy is a strong contender and moves of some kind into Japan have not been ruled out.

Mr Oates says future development, like much of that in the past, will be based on the trusted organic route. "M&S has such a strong brand name, why would we want to buy another retailer - and all that expensive goodwill - only to put our own name over the door?"

He says the group has very specific requirements for its stores and is therefore better off buying them on a piecemeal basis rather than trying to digest an entire chain. "We want large 40,000 sq ft stores in prime sites so that whichever store you walk into around the

world, be it Paris, Madrid or Hong Kong, the look and image is right. We recognise we are now selling to an international customer who may well go into M&S in many countries."

M&S's reluctance to embark on the takeover trail may also lie with its less than successful acquisition of Brooks Brothers in 1988. The group openly admits it paid too much for the business which was knocked sideways by recession.

M&S has also learnt the lessons of its bitter experiences in Canada. Sir Richard Greenbury, the group's forthright chairman, recently remarked that it would have been difficult for M&S to have got it more wrong. The company now recognises it was trying to expand too fast and too far from home.

"We tried to have a nationwide chain in a country that covers more than three million square miles," says Mr Oates. "We should have concentrated on getting, say, Ontario right before moving on to the next region."

That strategy has now been adopted and Canada is back in the black.

But this softly soft approach to expansion does not mean progress will be glacially slow.

Last year's decision to introduce the Outstanding Value Campaign in Europe and cut prices by 15 per cent made it clear that M&S intends to be a major player in the European retailing scene.

"We do not want to be a boutique operator," says Mr Oates. "We want to be a volume retailer. And if that means sacrificing some margin in the short term that is what we will do."

He dismisses suggestions that the aggressive drive in Europe means that the company is reaching saturation in the UK. M&S plans to spend almost £1 billion on new sites and store extensions in this country over the next three years. "It is not an either/or situation," says Mr Oates. "We are still growing in the UK and there are good opportunities for expansion overseas. We will do both."

## BUSINESS LETTERS

### A question of extending shareholders' influence

From Mr Edward Wilkinson  
Sir, Mr H. J. Belsey's letter (March 17) gives me the opportunity to raise another important point about shareholders' rights and ability to influence directors who don't want their advice and try to avoid questions on their past performance, salary levels and general conduct of the company's affairs.

It should be remembered that for a company with a year-end of March 31 it is probably early June before the preliminary announcement of the previous year's results is made and late September before the AGM takes place. By this time the results being

discussed and approved are history and the company is six months into its next year's trading. The chairman may comment on the current year's trading if he feels so inclined.

So far as asking questions at the AGM is concerned, institutional investors will long ago have had a visit from the company to explain itself and answer detailed questions. For the average small investor to get up at an AGM is an intimidating way of exercising his/her rights. Therefore if the Government wishes to strengthen the way in which such shareholders exercise their influence they must enable them to have better

access to extending the powers of the auditors by routing questions through them or via the merchant bank; any way to avoid another agency or ombudsman!

Mr Belsey's proxy will have been of no use unless a majority of shareholders return their cards and then turn up at the AGM and demand a poll in accordance with the "dem & arts" of the company. I hope the Greenbury committee may give consideration to this problem.

Yours faithfully,  
EDWARD WILKINSON,  
Thornbury,  
Ashford in the Water,  
Bakewell, Derbyshire.

### In which they serve

From Mr John Argenti  
Sir, You report that the General Secretary of the TUC wants companies to expand the role of governance to reflect the stakeholders approach, that is, the belief that companies exist to serve their community, their employees, their suppliers and their customers as well as their shareholders ("Monks proposes company law reform", March 18).

While the stakeholders theory is currently politically correct, it is incorrect in every

other imaginable context. No company - indeed no human organisation - can operate effectively with more than one single, unequivocal, corporate objective; schools are not there for their teachers, for their textbook suppliers and for their students; they are there for their students, period.

Hospitals are not for doctors, porters, nurses, patients and drug companies; they are for patients full stop. Golf clubs are for golfers, the Guides is for girls, the EC for Europeans...

It was the belief that com-

panies are there for everyone that seduced the socialists into nationalisation by which device, they assured us, companies could at last be run for the benefit of all. Mr Monks, I am sure will recall for whose benefit that actually turned out to be.

Oh, and by the way, trade unions are for their members - period!  
Yours faithfully,  
JOHN ARGENTI,  
Petistree Lodge,  
Woodbridge,  
Suffolk.

### Unmarketable shares

From Mr J. P. Simon  
Sir, Australian listed companies appear in their annual reports, to give the number of shareholders who do not hold a marketable parcel of shares, and, with one such company in which I am a shareholder, 2,027 out of a total of 6,730 shareholders appear to fall into this category.

In this country, no such detail is currently disclosed as such and yet it seems to me likely that, despite the existence of low-cost execution

only share shops and similar, there must be some shareholders who effectively are in the position of owning shares in non-marketable parcels ("the shareholders") and who would like, as part of a portfolio tidying up operation or otherwise, to dispose of the shareholdings.

I am looking at the possibility of establishing a system whereby the shareholdings could be transferred to Newco in the hope that a sufficient number in the same undertakings might be transferred to produce, in time, marketable

parcels. Following a sale of a marketable parcel, the proceeds or some percentage thereof might then be distributed or paid to a charity, at the option of the former owner.

Does a need exist? Only if it does, would the exercise be worthwhile. It occurs to me that, with your readers' post-bag, you may well have an insight into whether it is a matter which should be seriously pursued.  
Yours faithfully,  
JOHN P. SIMON,  
11 Cecil Court,  
2 Acol Road, NW6.

### Jobs and the 'feel-good' factor

From Mr John Wells  
A propos Philip Basset's excellent article in today's *Times* (February 16), the statistical fog enveloping UK labour market statistics has already been lifted by the publication of revised employment estimates.

Thus even with the revisions, the Employment Department's series, based on employer returns, records an increase of just 725,000 jobs since the December 1992 peak in unemployment, whilst claimant unemployment has fallen by 607,000 over the same period. This implies, even ignoring the moderately expansionary influence of demographic factors on the population of working age, a reduction in labour force participation - the opposite of what might be expected during the recovery stage of the economic cycle.

The suspicion persists - not that the claimant count is "fiddled" - that one of the reasons it is falling so rapidly is the Employment Service's improved capacity to get the unemployed off the dole into training and jobs (albeit at the expense of the non-claimant unemployed) as well as into inactivity.

The department's household Labour Force Survey records a closer match between employment increases and unemployment reductions; even so, it also registers a decline in labour force participation for men. Moreover, of the jobs created, none are full-time wage employment; all consist of part-time wage employment and full- and part-time self-employment.

Little wonder that the Chancellor thinks the "feel-good" factor will take time to register.  
Yours faithfully,  
JOHN WELLS,  
University of Cambridge,  
Sidgwick Avenue, Cambridge.

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The firm's expertise encompasses all aspects of domestic and international engineering, procurement and construction projects, from bid documentation to dispute resolution. The construction lawyers work closely with the project finance and litigation lawyers in both London and other offices, advising governments, contractors, lenders, investors and consultants. A solicitor with 3-4 years' ppe, primarily in the area of non-contentious work, is sought to assist with the development of the London based construction practice.

#### Capital Markets

The firm advises on all aspects of international capital markets transactions and is active in the development of novel cross-border financing structures, in the restructuring of sovereign and commercial indebtedness and in the area of investment funds. A solicitor with 3-4 years' ppe is sought to join the London based team which works closely with other members of the practice group in Eastern Europe and Asia.

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For further information in complete confidence, please contact our consultants, Jonathan Brenner or Miranda Smyth, on 0171-377 0510 (0181-940 6848 evenings/weekends) or write to them at Zarak Macrae Brenner, 37 Sun Street, London EC2M 2PY. Confidential fax 0171 247 5174. E-mail jonathan@zmb.co.uk

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## LAW

NEXT WEEK: NEW POWERS  
OVER THE POLICE

## When justice is too quiet

Richard Buxton on  
the difficulties faced  
by protesters against  
aircraft noise

Londoners' patience snapped recently over a Department of Transport scheme designed to allow more flights into Heathrow. Gatwick and Stansted at night and in the early morning. They took the Government to court and won — twice. Consultation before the scheme, the High Court found, had been "materially misleading".

The dispute has shown the good and bad sides of our judicial review system. To their credit, the courts have come to the rescue of ordinary people (here represented by local authorities, led by Richmond). They have faced airlines wanting more flights and a determined government department required both to promote civil aviation and to protect residents from noise. But it has also shown how difficult it is to interest the courts. There have been two cases so far, and residents have meanwhile had to endure extra night flights.

In January 1993 the Government proposed that instead of the existing system of an absolute limit on numbers of flights at night, numbers would depend on the noise produced. Each aircraft type was assigned points — 1, 2, 4, 8 or 16, depending on its noise rating — which would count against an overall quota for the airport. The airlines could choose whether to use a few noisy planes or many more quieter ones.

A report about sleep disturbance had encouraged the Government to assign many "quiet" planes zero points, permitting them in unlimited numbers. But some were large jets. After an outcry, the Government agreed they should count as half a point. But since Heathrow was assigned 12,000 points for a year, this could have meant 24,000 such planes.

When the local authorities first went to court, soon after the scheme was announced, Mr Justice Laws agreed that the law required actual numbers of aircraft allowed to be specified. It was not good enough for Heathrow residents to be unsure whether there would be 24,000 "quiet" B767s or 750 "loud" Concorde in a year. The judge even worked out that half a flight was theoretically contemplated — something he said could exist only "in the pages of Lewis Carroll".

Other features of the scheme had a surreal feel about them, too. On paper, landing aircraft were made quieter than they are, so eight times more than



Early evening flight landing at Heathrow: local householders are worried about the prospect of more flights

would otherwise be the case were allowed. Most complaints about night flights relate to landings. Many breach government standards of acceptable noise levels. The Government also said that the winter night should be shorter. The restricted period for flying, which used to end at 6.30am (8am on Sundays) would henceforth end at 6. This would lead to extra "daytime" flights whose numbers were not regulated. The local authorities considered the scheme manifestly flawed, and therefore unlawful, in other ways. These included points about aircraft noise preventing sleep, the health effects of noise exposure and the proper measurement of the noise at night. But Mr Justice Laws rejected all these points. However dubious, they were about the substance of the scheme. The court would not interfere on judicial review.

The Government, having lost the case on the flight numbers point, had to devise a revised scheme. But though this capped flights to an absolute number, it was otherwise unchanged. So in April 1994 the local authorities returned to court. The Government's undoing then was that it had also said in the original consultation that the scheme would keep noise levels below those in 1988. By this time, the new scheme had been going for a winter season. Published figures showed a large increase in flights, but research

showed that noise had increased. The Government replied that when it had referred to "noise in 1988", it had meant "noise theoretically permitted in summer 1988". Noise levels were still less than those permitted levels, so no promises had been broken.

More than 40 files of letters received on the original consultation showed that hardly anybody had understood this. So Mr Justice Laws considered the local authorities had been misled.

Satisfying though it was to get to the root of the matter, it took too long — because of restrictions in rights to look at the other side's papers in judicial review cases. In other litigation, "discovery" is automatic. In this case, the document that in the end gave the game away by alerting local authorities to the difference between actual and permitted levels came to light only because of the noise research.

The restricted rules on discovery are unjustified. They seem based on the notion that the Government is good and will always put its cards on the table in litigation. In a recent report on reform of judicial review, the Law Commission declined to recommend a change to the rules.

It is also unfortunate that the courts easily see complaints as points about the substance of the scheme rather

than as points of law, and therefore refuse to interfere. Where scientific criticism seriously questions the rational basis of a decision, the courts should look more closely. There have to be bounds to the courts' disinterest. And, as environmental claims become more common, they will have to consider whether they can stay detached in the face of allegations of bad science. The local authorities were penalised in both cases by getting back only a proportion of their legal costs because they lost points in both cases. This puts a heavy burden on judicial review claimants, who can be both poorly funded and desperate for any way to prove unlawfulness in the way government or other authorities have acted. Claimants are also a victim of their own success: winning a case on just one point means that they cannot appeal against the points lost. The night flights saga has so far shown that justice can prevail in judicial review cases, but that cards are stacked against claimants.

A fresh consultation paper to explain what had been meant in the previous consultation has just been issued by the Government but the local authorities consider this an inadequate response.

● The author, an independent solicitor in Cambridge, practises environmental law and has been acting for the local authorities over night flights.

## Time for our judges to rule on human rights

Tomorrow night the House of Lords will consider the report stage of the Human Rights Bill introduced by Lord Lester, QC. The purpose of the Bill is to incorporate the European Convention on Human Rights into United Kingdom law. As the debates on the second reading and committee stage make clear, the senior judiciary strongly supports the enactment of this Bill.

The convention was drafted by a generation which had witnessed the depths to which nations can sink when they abuse fundamental freedoms. In 1951, the United Kingdom was the first state to ratify the convention, despite the concerns of Lord Chancellor Jowitt, who wrote to a Cabinet colleague in the Labour Government that he was "not prepared to encourage our European friends to jeopardise our whole system of law... in favour of some half-baked scheme to be administered by some unknown court".

In 1966, the Government allowed individuals to bring claims against the United Kingdom before the European Commission and the European Court of Human Rights in Strasbourg. Since then, the court has frequently found that our domestic law contravenes the rights guaranteed by the convention, as in cases concerning press freedom, mental patients, and prisoners.

The United Kingdom is bound by its international treaty obligations to comply with the judgments of the European Court. It does so by amending domestic law whenever it has been found to be in breach of the convention, even though the Government often resists being told that its actions breach international standards of acceptable state conduct. Last month, the court held that the United Kingdom was wrong to apply with retrospective effect a law which allowed for the confiscation of the assets of a drug trafficker. David Maclean, the junior Home Office Minister, told the House of Commons that all MPs "share the indignation at the decision these jurists have reached".

If enacted, the Human Rights Bill would state that the convention is "incorporated in the law of the United Kingdom, and shall be given full legal effect". The Bill adds that "so far as the context permits, enactments (whenever passed or made) shall be construed consistently with the rights and freedoms contained in the convention".

This would have three important consequences. It would encourage the existing tendency of the courts to seek to construe ambiguous legislation and the common law consistently with the convention. It would reverse the effect of the 1991 Brind decision in which the House of Lords decided that the

discretionary powers of ministers need not be exercised consistently with the convention. And it would preserve the sovereign power of Parliament to enact legislation which conflicts with the United Kingdom's obligations under the convention if Parliament unambiguously stated its intention to do so.

During the second reading and committee stage debates in the House of Lords, a distinguished appeal court of judges expressed their support for Lord Lester's Bill. Lord Taylor of Gosforth (the Lord Chief Justice, who added that his views were shared by Sir Thomas Bingham, the Master of the Rolls), Lord Browne-Wilkinson, Lord Woolf of Barnes, and Lord Lloyd of Berwick all explained the overwhelming case for incorporation of the convention.

If it is the case the United Kingdom is bound by the convention, and by the rulings of the court in Strasbourg, there can be no basis in principle or policy to deny British judges the power to interpret and apply its provisions. Conferring such a function on the judiciary would limit the number of occasions on which aggrieved persons would suffer the cost and delay of having to take their cases to Strasbourg; it would remove the stigma of so many cases being addressed abroad rather than at home; and it would enable British judges to play an influential role in the development of the jurisprudence of the convention.

The only judge to dissent in the House of Lords debates from such logic was Lord Donaldson, the former Master of the Rolls. In his judgment, Strasbourg "does not know best" and it was "constitutionally totally unacceptable" that "Parliament's right to govern should be restricted by the convention". But the Bill does not prevent Parliament from legislating in terms which conflict with our obligations under the convention. Moreover, as Lord Donaldson appreciated, his argument requires that the United Kingdom should "withdraw from the convention".

Countries are queuing up to join the Council of Europe. The European Commission and court have become the most sophisticated human rights tribunals in the world. The high quality of their work is admired throughout the legal world. Withdrawal from the convention is inconceivable. Parliament should take this opportunity to ensure that United Kingdom judges can make a more central contribution to the development of legal principles which are, in any event, going to have a substantial impact on our society in years to come.

● The author is a practising barrister and a Fellow of All Souls College, Oxford



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## Are you going to the fair?

Who cares about the ancient fairs of Britain? These gatherings, originally annual markets, are increasingly coming to the attention of lawyers.

One of the best-known was London's Bartholomew Fair, lauded by Ben Jonson. And whatever became of Strawberry Fair, about which Simon and Garfunkel were so keen to know your intentions?

The answer is that a lot died out in the face of Britain's rush into industrialisation. A lot, but not all. And those that survived are big tourist draws. Ballymena Fair in Northern Ireland, Appleby Fair in Cumbria and Stow Fair in Gloucestershire attract tradition-hunting visitors from around the world.

The fairs started by the royal prerogative of granting charters — in effect, franchises — for them to be held in certain towns. A charter can be abolished only by order of the Home Secretary — if the owner of the franchise charter consents — or by Act of Parliament. So a fair's right to continue might seem almost guaranteed.

Not so. Local authorities like the areas under their control to be just that, and fairs, with their appeal to out-of-towners and other occasional traders, can be hard to control as tightly as councils might wish. So some councils have tried to find roundabout ways to end them.

Barnet Fair on the southern border of Hertfordshire, Horsmonden in the Weald of Kent, a little-known fair but one of the best, and even Appleby have all come under pressure. Most have become horse fairs, attended in large numbers by Gypsies, whom many councils have found the least controllable of visitors.

The travellers have turned into the defenders of these ancient events. At Barnet, Appleby and Horsmonden, they have been driven to lease land away from the high streets or village greens, where the events customarily took place, so that the fairs can continue.

Now another is in its death throes. In 1476, Edward IV granted a charter for a twice-yearly fair at Stow-on-the-Wold, the Cotswold market town. From being a general market fair held in May and October,



Gypsies at Stow Fair: holding to custom

An unconventional group has come to the aid of an old tradition

It became, over the centuries, a horse fair dominated eventually by Gypsies, who maintain an almost hereditary love of dealing in horses, even when their huge, modern caravans have no need of them. But some townspeople became annoyed by the extra traffic it generated and by the cost to the local Cotswold District Council of cleaning up litter. Though fair days became the busiest of the year for Stow, many shops would close, and hotels would put up signs stating "Residents only".

A group of Gypsies clubbed together to buy 20 acres on the edge of the town so that travellers could camp on it, do their horsedealing and set up stalls to reduce the disturbance to the town centre. With all the travellers camped on one site, the local constabulary found the fair easier to police. The land's new owners applied for permission to use it for caravans for the two or three days that Gypsies pulled on to the site. But though the council in 1991

granted temporary planning permission for the site to be used by caravans, objections by townspeople and some councillors persuaded it to refuse permanent planning permission.

The Gypsies appealed to the Secretary of State, David Baldock, the planning inspector, has now completed his inquiry. He ruled against the appeal, mainly on the ground that the fair is unsuitable for the site, an area of natural beauty, and because of fouling of the area around it and the "harmful consequences of damage, intimidation and... possibility of crime". The land, said Mr Baldock, was "the wrong place for an intensive caravan site".

That, however, is not quite the end of the matter. The likelihood is that Gypsies will travel to Stow on the due date of the next fair, camp on roadside verges around the town and try to stage the fair in the centre. This will put the police in a quandary. They may then be reluctant to use their powers under the Public Order Act to move the Gypsies away — but if they do not, they will be damned by some local residents.

Luke Clements, a Hereford solicitor who acted in the appeal for the Gypsies, said yesterday: "The police may be tempted to use their powers under the Act to prevent Gypsies going to the town for the fair. Under sections 71 and 77, it is a criminal offence for people living in caravans to trespass or camp on the side of the highway. If they do, their trailers can be impounded and sold."

Any travellers thus made homeless might have to be accommodated by the council. At the very least, traffic in Stow will be chaotic and the council is likely afterwards to face a huge clean-up bill.

Yet the Gypsies are not without their allies. Vera Norwood, a Stow parish councillor and shopowner, said: "Many local people love the fair. If it falls away, only Appleby Fair will be left as a big Gypsy gathering where family ties can be renewed. If Stow Fair stops, we are damaging Roman culture."

DAVID ALTHEER

## Committee too far

NOT only Labour is questioning the future of the Lord Chancellor's legal aid advisory committee under Lord Steyn. John Hayes, Law Society secretary-general, questioned its usefulness when he addressed the Lords and Commons Solicitors Group. The Lord Chancellor, Lord Mackay of Clashfern, created the committee as part of an arrangement to decide rights

of audience to appease the judges when his legal reforms went through Parliament in 1989. It is widely disliked by the legal profession who have to submit every single rule change to its lengthy scrutiny.

Fraud costs WHO should pay the mounting costs in complex fraud trials? The defence costs

should fall not to the taxpayer but to the City's regulatory bodies, says the Legal Action Group. The bodies would be reimbursed through subscription from those they regulate.

● SOLICITORS who want to return to work after a career break can attend a one-day course being held by the College of Law on April 5. Details: 01483 460385.

## Protest aid

A MAN in a Worcestershire village has obtained legal aid to sue the Government over planning permission given for a vast broiler house. Peter Simpson is about 300 yards from the proposed development, which will produce half a million chickens a year. The Environment Department overturned a planning refusal. Mr Simpson's solicitor, Thorpes of Hereford, is a member of the Environmental Law Foundation.

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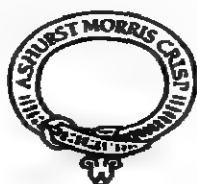
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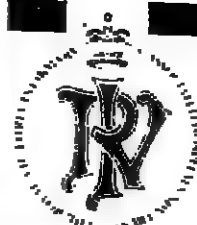


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If you would like to be considered for the short list, please contact Barbara Claridge, Room 89A/1, HM Treasury, Parliament Street, London, SW1P 3AG (fax 0171 270 4827, tel 0171 270 4914) for more information and an initial application form.

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**EMPLOYMENT** Birmingham To £Partnership  
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**CORPORATE** To £52,000  
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**PRACTICE MANAGER** To £Highly Competitive  
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## Shipping/Airline Finance £30-£33,000

This City firm has an established reputation and an impressive client base in the fields of shipping and aviation finance, and the workload continues to grow. They require an assistant with one to two years' finance experience to contribute to this busy and stimulating environment.

The above list represents a small selection of our current instructions.

For further information, or for a confidential and informal discussion please contact:

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- Monitoring and advising the group on its approach to competition law and EEC directives.

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- Early 30s, high potential, graduate lawyer. International experience and familiar with the Treaty of Rome and EEC directives. Commercial, problem-solving approach.
- Self-starter with initiative and drive. Ideally some knowledge of music industry recording agreements. Languages an advantage.
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## LEGAL DIVISION

## Legal Officer - Social Services

£23,127 - £28,497 inc.

(Ref: T/1732)

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For an application form and further details please telephone: 0171-525-7579 or write to: The Personnel Officer, Law & Administrative Services, South House, 30-32 Peckham Road, London SE5 8UB.

The deadline for completed application forms is: 21st April 1995.

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## REGIONAL OPPORTUNITIES

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**INTELLECTUAL PROPERTY** Reading c. £25,000  
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**COMM. PROPERTY** Cambridge £Market Rate  
This established practice is seeking to recruit an additional commercial property assistant with 1-2 years' exp for its Cambridge office. You should have gained first rate experience and demonstrate a good technical ability in both residential and leasehold work. Excellent prospects Ref: T12525

**CORPORATE FINANCE** Bristol £Excellent  
Senior corporate finance associate or partner required for the Bristol presence of this major UK law firm. In addition to good City or major regional experience and a sound academic background, the right person will need to demonstrate a rapport with clients and ability to market. A following in additional bonus. Ref: T19116

For further information in complete confidence, please contact Rebecca Errington or Emma Cowell (both qualified lawyers) on 0171-45 6062 (0181-509 9884 evenings/weekends) or write to them at Quarry Dougal Recruitment, 37-41 Bedford Row, London WC1R 4EJ. Confidential fax: 0171-831 6394.



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## CFP LONDON

**CITY**  
Recognised shipping firm has an opening for a lawyer with between 1-2 years' relevant post qualification experience. The successful candidate will assist a shipping specialist undertaking mainly wet work and must be sufficiently experienced to work without supervision. Excellent academics and a dedicated approach are essential. Ref: 8629.

**IN-HOUSE**  
Prestigious bank seeks solicitor with no less than 8 years' exp to handle general international trust and tax work. Candidates will be familiar with high quality work in a consistently orientated environment. Opportunity to become involved in corporate dealings. Ref: 9394.

**KENSINGTON**  
Exciting opportunity for an established property solicitor with a profitable client base to join a recently launched firm. Candidates will have at least 3 years' experience of both domestic and commercial work. Excellent partnership prospects for those able to display entrepreneurial flair. Ref: 9366.

**CITY**  
Medium sized City firm has a requirement for a solicitor with around 2 years' experience to undertake primarily contentious construction caseload. Work will involve assisting in high profile litigation and quality experience is therefore as important as good academics. Ref: 9313.

**HOLBORN**  
Medium sized firm requires an experienced personal injury litigator for a mainly plaintiff based caseload. Candidates must have between 3-5 years' exp and be willing and able to supervise a team. Quality experience is essential for this challenging role. Ref: 9515.

**PERSONAL INJURY**  
Above is but a small representative sample of some of the vacancies we have registered with us from law firms throughout London. For more information on our services telephone us or alternatively write to us at 4 Bloomsbury Place, London WC1A 2QA; 137 Newhall Street, Birmingham B3 1SF; 22 Deansgate, Manchester M3 1PB; 31-33 Corn Street, Bristol BS1 1HT; or 32 Sovereign Street, Leeds LS1 4BJ. All enquiries will be treated in strictest confidence. Only Charles Fellowes are able to keep a Watching Brief® on your career.

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**COMPANY/COMMERCIAL** Bristol £Competitive  
This major Bristol firm is seeking to further enhance its established company/commercial department by appointing an ambitious solicitor with circa 1-2 years' exp. You should have gained first rate general company/commercial experience, ideally from a City firm. Excellent career prospects. Ref: T19625

**EMPLOYMENT** Birmingham £Partnership  
Join a leading international firm offering superb resource, immediate partnership, and the most exciting prospects available. Existing expertise in the employment sphere guarantees superb practice development opportunities. You will need to be highly ambitious, inherently commercial and keen to move your career forward. Ref: L19304

**PERSONAL INJURY** Bristol £Competitive  
The Bristol office of this London firm is seeking to further enhance its existing personal injury team. You should have at least 1 year plaintiff litigation experience. This position offers considerable autonomy and the chance to play a role in the further development of the Bristol practice. Ref: T2554

**SENIOR PROPERTY** Thomas Valley £Market Rate  
Do you need a fresh challenge? Our client needs a senior lawyer to build a commercial property team at their Reading office. The work is broad ranging with some landlord and tenant work on behalf of companies. The right candidate must demonstrate good practice development skills and have at least 5 years' exp. Ref: T19005

For further information in complete confidence, please contact Rebecca Errington or Emma Cowell (both qualified lawyers) on 0171-45 6062 (0181-509 9884 evenings/weekends) or write to them at Quarry Dougal Recruitment, 37-41 Bedford Row, London WC1R 4EJ. Confidential fax: 0171-831 6394.



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MISSION

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Our rapidly growing Legal Department will soon include 10 attorneys. The following positions are U.S.A. based:

## Chief Corporate Counsel

This individual will report directly to the VP/General Counsel and manage a staff of 5. Responsibilities will involve all facets of general business law including SEC, licensing, real estate and employment work. To qualify, candidates must have a strong record of academic achievement, 15 years' experience in both a major law firm and corporate in-house setting and an in-depth knowledge of securities, pharmaceutical, biotech, or high tech industry expertise preferred.

## Chief Patent Counsel

Reporting directly to VP/General Counsel, this individual will develop intellectual property strategies and programs. This will involve building and reinforcing the department for patent preparation and prosecution, as well as managing outside counsel. To succeed, candidates must have a record of academic achievement, 10 years' patent law experience, and a thorough knowledge of patent law in prosecution of patent application in the U.S.P.T.O. In-depth knowledge of the pharmaceutical/biotech industry a must. Patent litigation experience, knowledge of interference practice and a life science degree highly desirable.

## Assistant General Counsel

International  
You will coordinate international legal affairs, including the creation and maintenance of international corporate structures. Serve as the primary point of contact for all matters with our European headquarters located in Paris, and advise Marketing and Sales in European regulatory matters. Candidates must have a record of academic achievement, have practiced law in a major European nation and possess 5-10 years' relevant experience. Proficiency/fluency in a foreign language (preferably French) required, as is the ability to travel 40% of the time. Corporate law experience in the pharmaceutical/biotechnology industry preferred.

Biogen offers what few companies in our industry can - Professional Challenge, Stability, Growth and one of the strongest financial profiles in the industry. In addition, our compensation and benefits package is one of the best in the industry, and is designed to attract and retain the finest talent available. If you are one of the best, you have an opportunity to join us now. Please forward your resume, to: Biogen, Inc., c/o New England Legal Search, 280 Commonwealth Ave., Ste. 605, Boston, MA 02116, U.S.A., Fax (617) 269-9510. Biogen is an Equal Opportunity Employer. No phone calls, please.

BIOGEN

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The post is likely to appeal to someone who wants to take early responsibility for their own cases, develop public sector expertise and work in a challenging environment.

Please apply direct with a current CV to Sue Laundry, Capsticks, 77-83 Upper Richmond Road, London SW15 2TT. Applications made through agencies will not be considered.

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CV's to be forwarded to:

Mr Abdulrahman Alrowita and/ or Mr K Chehal  
208B Sussex Gardens  
London W2 3UD  
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## THEATRE page 34

Nottingham Playhouse  
does full justice to  
Gogol with its new  
production of *The Nose*

## ARTS

## POP page 35

A little less bombast  
would go a long way for  
Simple Minds at the end  
of their current tour



PHOTOGRAPHY: National Portrait Gallery tribute to a chilling genius; artists' lives; Vietnam at war and peace

# Master of the white stuff

Richard Avedon captures the mind and soul of his subjects — but rarely the heart, says Richard Cork

No photographer could be better suited than Richard Avedon to a high-profile, full-blown retrospective at the National Portrait Gallery. He has thrived on the octane of glamorous exposure for half a century, ever since *Harper's Bazaar* gave the precocious 22-year-old his first job as a staff photographer in 1945. Avedon stayed with the magazine for 20 years, covering the Paris fashion collections with inventive, faultlessly elegant aplomb. So when it comes to treading the gallery equivalent of a catwalk, he knows exactly how to handle the challenge issued by a grand exhibition.

The show kicks off with a rush of images, surprisingly crowded on the walls and difficult to absorb. They reveal the young Avedon at his most documentary, prowling the beaten-up streets of Harlem as well as the more beguiling pastures of Central Park. Poverty is not avoided, and there are signs of loyalty to the neo-realist standpoint which flourished in the photography and film of the late 1940s.

But no hint of social polemic ruffles the nimble observation. Even at this early stage, Avedon reserves his true enthusiasm for the star quality of a street performer called Zaz. An entire wall is devoted to this charismatic woman, as she prances and charms her way through Roman crowds at the Piazza Navona. Avedon's alert camera responds to her instinctive, shameless theatricality. She is irresistible, and he finds in her showmanship the stimulus his work needs.

Fashion, of course, has an inbuilt sense of stylish drama. But Avedon was never content merely to reflect the alluring artifice of the Paris collections. He wanted to push it much further, taking risks. How would the professional pose of models like Suzy Parker and the equally suave Robin Tattersall survive if they were asked to rollerskate in the Place de la Concorde? The answer was a triumphant image, filled with an apparently effortless panache.

The picture gains much of its zest from Avedon's wily decision to shoot very low down. The Parisian architecture is relegated to a subordinate role on the horizon, leaving the two models with an ample expanse of sky as a neutral backdrop for their excitable, outflung limbs and windblown clothes. By heightening the sky's whiteness, Avedon makes nature provide him with a setting akin to the blankness of his studio wall. This is the uncluttered context he likes best, and it seems to originate in a series of headshots taken during his wartime spell in the US Merchant Marine. Nathan J. Avedon's

encyclopaedic array of people to submit to his increasingly sharp-focus lens. True, icons as predictable as Marilyn Monroe make an appearance against the blinding white surface. But Avedon makes disappointingly little of her features. He finds far greater interest in the unknown face and torso of Ronald Fischer, a Californian beekeeper. Naked, and half covered with the insects he nurtures, Fischer stares at Avedon as if daring him to remain unmoved. Avedon gazes back, through the camera, with absolute dispassion.

If anything, the prevailing mood is clinical. Avedon's insistence on whiteness promotes an almost glacial air, as though everyone is frozen into refrigerated clarity. Because nothing distracts us from the sitter, we grow unusually conscious of even the tiniest blemish and wrinkle.

That is why, of all his portraits, Avedon's old men are the most arresting. Ezra Pound, furrowed and dishevelled, contorts his features as if shuddering at the memory of his imprisonment as a Fascist sympathiser in the 1940s.

Samuel Beckett, slight yet commanding, gives out a steely stare beneath hair that seems to rise up in reaction to an electric shock. And Francis Bacon, as pummeled as a boxer, directs one eye at the camera while letting the other gaze down into a private, haunted space of his own.

After a time, the unsparring character of these images becomes strangely chilling. This coldness comes into its own when Avedon trains his camera on figures ripe for dissection. *The Generals of the American Revolution* is just such a photograph, and it may well be his masterpiece. The ladies who belong to this elite, preposterous gathering are clustered together, with sashes, medals, jewellery and flowers proudly brandished on their gowns. But Avedon slyly catches them off-guard, as they prepare themselves to be photographed. They look bored and disdainful, with cruel, downturned mouths. The gulf between the group's

pretensions and the small-minded absurdity of the women themselves is defined with corrosive brilliance.

When Avedon tackles subjects worthy of our sympathy, though, he fails to make the necessary transition. Another room is filled with images of the inmates at East Louisiana State Hospital. They are profoundly disturbed. Some loiter on benches or the floor, while another walks on all fours. Apart from one man, who grimaces at the camera, they seem unaware of Avedon's presence. But he sees them as little more than actors on a stage, performing a choreography of derangement that stirs no compassion in the spectator's mind.

To judge from the subdued lighting in the room next door, Avedon does want to create an elegiac setting for his photographs of napalm victims in Saigon. The dimness of a chapel is successfully evoked, but I felt manipulated by his theatrical attempt to condition my response. The pictures themselves should not need this kind of intervention, but

the detached harshness of Avedon's images does little to encourage either anger or pity on the viewer's part. Towards the end of the show, his master-of-ideal approach meets its ideal subject. In October 1969, Avedon persuaded Andy Warhol and sundry members of the Factory entourage to pose in various states of undress. The outcome was a colossal frieze of figures, some beautiful and others weird, which now take up the whole of a wide wall. They all parade with calculated indifference, standing in groups and yet psychologically removed from each other. At the far right, Warhol's bearded and sphinx-like presence brings the sequence to a close. He looks, as ever, utterly deadpan. But behind his unrelenting facade, Warhol must have been secretly relishing the knowledge that his coolness would find perfect visual expression in Avedon's studied, icy gaze.

Richard Avedon: Evidence 1944-1994 at the National Portrait Gallery (0171-306 0055) until June 11



*The Generals of the American Revolution*, caught off-guard by Avedon. "They look bored and disdainful, with cruel mouths"

## Shots on the front line

Alison Beckett  
on the haunting  
images of  
South-East Asia  
by Tim Page

When Tim Page arrived in Vietnam in 1963 he was 18. He was the first photographer to capture the country in the midst of civil war. Now, on the eve of the twentieth anniversary of the unification of Vietnam, his uncomfortable photographs of then and now are on show at the Photographers' Gallery.

There are the blackening corpses lined down to prevent the spread of disease; a soldier taking cover in a bamboo hedge, grinning nervously at leaf mould level; and a wrecked body heaving into sight, seeking first-class pickings on the rail track. Then there is the little girl who prays for peace.

The images, never exhibited before, are haunting. So much so that Page has returned repeatedly to Vietnam to exorcise the ghosts that have pursued him ever since. juxtaposed with present-day monks sheltering from the sun beneath black umbrellas, and scenes from Page's other life — snapping the line-up for Miss Nude California, or boys formation diving in Cuba — the impact is the greater.

Page was raised on Robert Capa's visions of war. He describes his obsession with the death of the great war photographer in his new book *Mid-term Report* — Page is now 50 — published to coincide with the exhibition. Capa had been the victim of a landmine in Vietnam on Page's tenth birthday, and Page almost emulated him in death as well as life.

Born in Tunbridge Wells, Page had headed east on the

happy trail as a teenager and became an agronomist in Laos until the day he was able to borrow a decent camera. Then he flew more than 150 wartime operations, hitchhiking rides with GIs. He was injured in action for the fifth time as he jumped out of a helicopter just as a 350 lb Chinese anti-tank mine was detonated. He was presumed dead, a fistful of his brain blown away.

Anyone might have thought that Page's career was over: that he would never want to snap a Vietnamese again. But Page was hooked on the beauty of the country and its inhabitants.

Tim Page: *Mid-term Report* is at the Photographers' Gallery (0171-331 1772) until Saturday. *Mid-term Report* is published by Thames & Hudson (£14.95).



Tim Page's photograph of an angry Cambodian crowd rioting to protest against the return of the Khmer Rouge

## Studio portraits of the great and good

Those suffering from some form of post-Avedonitis would be well advised to take the short Tube ride to Leighton House off Kensington High Street. The house, a magnificent Victorian construction which was the home and studio of painter Frederic Leighton, is a suitably aesthetic setting for *Space To Create*, an exhibition of photographs of contemporary artists' studios.

Terry Buchanan, a record photographer at the Royal Commission on the Historical Monuments in England, has invaded the studios of such eminent artists as Eduardo Paolozzi, Lynn Chadwick, Anthony Caro, Beryl Cook, Bridget Riley, and Howard Hodgkin. The latter's studio is huge and white, and the tubes of paint are neatly arranged. White canvases cover half-completed works so as not to distract Hodgkin from new projects.

Beryl Cook's studio is a far more cluttered place — next to a leopard-skinned sofa stand four mannequin legs. But the

### AROUND THE GALLERIES

Cook clutter is minimal compared to that found on Eduardo Paolozzi's shelves: boxes, trays, bottles and, of course, dozens of sculptures in various stages of completion. From the evidence of Buchanan's photograph it is impossible to see how Paolozzi has any space to create at all.

At first glance Anthony Caro's studio resembles nothing more than a garage workshop, packed with drills, hammers, spanners and power-tools. Even the vast sculptures appear to be "parked" next to the work benches, ready for a spot of bodywork and perhaps a new paint-job. All that's missing is a Page Three calendar, but there is a poster of a positively underdressed rhinoceros.

Leighton House Museum, 12 Holland Park Road, London W14 (0171-602 3361, until April 11)

Entitled *Europe in Our Time*, the current show at



Anthony Caro's studio, from the show at Leighton House

Camerawork is meant to be "a provocative interpretation of unified Europe and the consequent changes in cultural and geographical boundaries within it". We are meant to see David Mabb's treatment of some of this century's most vivid photographs, but instead we see huge blank canvases.

For copyright reasons, Camerawork has been forbidden to display Mabb's works,

and so the gallery has hung these blank canvases with descriptions of the missing work. "Down the right hand narrow border, bright purple acrylic paint shows through. Over this surface, small spots of about 1cm across have been painted."

The gallery has managed to display one example (a peace march in Washington DC in 1967) but the result, in which

the whole picture is deluged with paint, obscuring the image, is hardly a strong illustration of "the revisionism currently prevalent in the assessment of Western history," as it is claimed. We know that photographs have an historical context; we know about revisionism. Camerawork's attitude is nothing more than censorious. And we know that censorship is something governments do, not art galleries.

Camerawork, 121 Roman Road, London E2 (0181-980 6256) until April 29

James VanDerZee, whose images of 1920s Harlem are currently hanging at the Zeldia Cheate gallery, died in 1983. But he is still hailed as black America's greatest photographer, and it is not hard to see why. Despite his training as a portrait photographer, his images of street scenes are strong and expressive, which raises them above "mere" documentary photography.

His subjects are far from gloomy — hardly the stereotypical images of a poverty-stricken, barely enfranchised people that conscience-ridden American photographers are so keen to capture. His photographs are far more optimistic. Neat rows of smartly dressed schoolchildren and portraits of the well-to-do are far more aspirational than a battery of slum-shots.

*Zeldia Cheate, 8 Cecil Court, London WC1 (0171-836 0506) until April 21. The show then tours to the Brighton University Gallery in May and the Impressions Gallery in York in the autumn.*

GUY WALTERS



what  
the  
butler  
saw

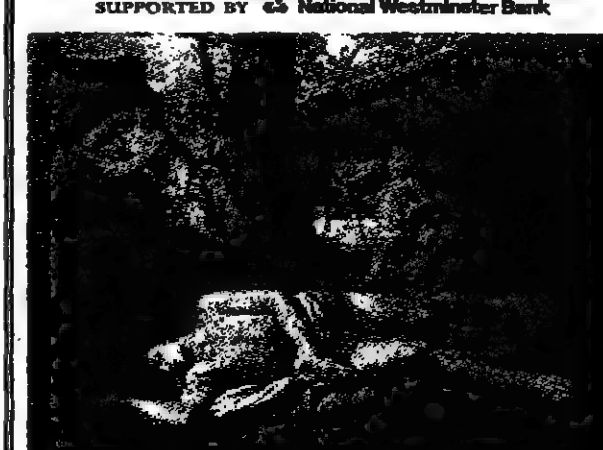


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Edo and Nicolas (detail), 1639-40  
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## RECITALS

## Perfect partners

IT MAY not be what you sing: it's who you sing it with. The last month or so at the Wigmore Hall has thrown up a succession of outstanding pianist-accompanists, each one of them a totally equal partner in the music-making, strengthening its focus and deepening its revelations.

Shaggy of hair and wild of demeanour, Wolfram Rieger has a way of baring the very heart and nervous system of a song, while running his ears and fingers meticulously to the weight, colour and movement of his singer's voice. Thomas Hampson confronted him with one of the greatest challenges of the recital room: the original piano-accompanied versions of Mahler's orchestral song-cycles, *Kindertotenlieder* and *Lieder eines Jährlings*.

From the dawningly slow, dragging footsteps of the first song, contrasting the rising sun with the darkness of bereavement, Rieger made the music sound more exploratory, more harmonically searching than in the colour-soaked orchestral version. Not only did we not miss the orchestra: the emptiness of sudden realisation in the second song, and the storm, inside and out, of the last, were laid bare in all their melodic and harmonic torture.

Hampson's baritone is vast enough, his breath control total enough, to hold pain and

tension live in every line. This cycle can be uncomfortably low for the male voice, but even in the abyss Hampson touched every raw nerve.

When he turned to Butterworth's *A Shropshire Lad*, the patchwork fields of the *Borders* expanded to a landscape nearer the Appalachians than the Long Mynd.

If Hampson's emphasis on projection and performance sometimes makes even brightly imagined detail tend towards the self-serving, the singing of German baritone Olaf Bar exemplifies the opposite tendency. He joined the Nash Ensemble on Saturday for an imaginatively constructed programme in their continuing series "A Golden Age of Parisian Music".

His performance of Ravel's *Cinq mélodies populaires grecques* was slow to get off the ground, simply because it seemed unfuelled by either linguistic sympathy or real, deep knowledge of the songs themselves.

There were some telling details: the vigorous unaccompanied moments of declamation, and the way the voice, with Ian Brown's sensitive piano playing, drifted on warm currents of air in the fourth song. But the voice too rarely left the letter of the music to abandon itself to its heady, sensuous spirit.

HILARY FINCH

## MUSIC THEATRE

## The kindest cut?

IN WHAT is officially described as the culmination of the Royal Northern College of Music's music-theatre project, two of the three works in the programme got more or less what they deserved. Benjamin Britten's dramatic cantata *Phaedra*, on the other hand, was severely abused.

This chaste product of the composer's last creative resources is not music theatre. Nor is it the tub-thumping, poison-swilling, death-rattling freak show offered on this occasion.

One's sympathies were with the resourceful but ill-advised postgraduate mezzo soloist, Denise Satori. But, really, what could the RNCM staff director, Jennifer Hamilton, usefully have done with the last piece in the programme, Robin Grant's hour-long anthology of poetic bits and pieces and musical stock-in-trade, *A Min search of John Clare*, except cut it at least by half? Indeed, the music-theatre project having presented the first performance of that

work four months ago, it would have been a valuable exercise for everyone concerned to demonstrate in the repeat performances what artistic advantages there can be in getting a piece into shape, focusing it, concentrating it, and creating some long-term structural rhythm.

Nicola LeFanu's *Dawn-path*, which was written when music theatre was still a fresh concept nearly 20 years ago, presents different problems. There is much melodic beauty in her slender, mainly linear score, and her interpretation of North American Indian myth combines song and dance in a perfectly natural way. But in making dance the most essential element in a mainly static ritual dialogue of bass and soprano soloists and on-stage instrumentalists, she surely requires far more imaginative choreography than the primary-school movement devised by Caroline Clegg.

GERALD LARNER



## Noises off out of this world

The next time you go to the theatre, look carefully at the credits in the programme. You may come across an intriguing entry — "sound designer" — alongside the director and the set designer in the movers-and-shakers list. Who is this unfamiliar character?

About 15 years ago, lighting design became established as a key component of the theatrical process — not just the routine business of illumination and special effects, but the shaping of a visual ambience. The same is true of sound. No longer is the sound man merely the stagehand shaking the thunder sheet, or the technician making sure that the telephone rings on cue. Instead, using their base material — noise — sound designers weave layers of atmosphere into the production's emotional tapestry.

This is partly explained by advances in technology. One sound designer says that in days gone by he would get reverberation by placing a speaker and a microphone in a theatre toilet (and this was the National Theatre). Now, a little box does the trick for him, while he can create, manipulate and edit sound at the push of a computer button.

But there are other factors as well. Directors, especially youthful ones,

are increasingly realising the "filmic" possibilities of sound in shaping an audience's response. Paul Arditi exemplifies the trend. He has recently designed the sound for shows as diverse as *Blasted*, *The Threepenny Opera* and the Stephen Dillane *Hamlet*. Indeed Peter Hall, director of the latter, calls up Arditi for his productions, and his pre-eminence was confirmed when Stephen Dillane, on becoming artistic director of the Royal Court, recruited him to the theatre's permanent staff.

The job is not merely to fiddle with the gadgets but to participate in the artistic process. "I'm less obsessed with the power the technology gives me than with talking to those in the creative hot-seat," says Arditi. "I want to be part of that gang, not the tecky gang."

When "that gang" listens to the teckies, the results can be startling. Paul Slocombe, the Royal Shakespeare Company's head of sound, says that for a recent production of *King Lear* he decided to point up, in the storm scene, the many allusions in the text to wild animals. "If you

make your thunderclaps into roaring animals you're not only making it more interesting than bangs and crashes, but you're articulating something that's embedded in Shakespeare's text," Slocombe says.

Strangely enough, recordings of authentic sounds are often inadequate for the task. Phyllis Nagy's *The Ship*, currently at the Royal Court, calls for a crying baby. Arditi was unimpressed by the real thing, so he recorded an actress making a crying noise, then modulated and "hugely amplified" it.

Clearly the job is about resourcefulness as much as resources, as is further borne out by the work of Scott Myers, a resident sound designer at the National Theatre. Myers worked on the current production of Euripides's *Women of Troy* (set in a city by the sea during a war). In a striking effect near the beginning of the play, the sound of a military helicopter metamorphoses into that of a fighter jet.

Then there are the elements. "The

wind from the sound effects libraries just wasn't right," Myers says. "So I ended up blowing into coffee pots and lifting the lids like trumpet mutes. Then I sampled those sounds with recordings of the cast wailing."

Other solutions are just as ingenious. "I recorded footsteps walking on fresh snow," says Myers. "Pitched down, it sounds like bricks falling. There's some of that, modulated, in the sound of the city falling at the end of the play."

Sound is subject to the rules of physics. But if you know the rules you can bend them, changing frequencies and intensities and multitracking the results. In constructing the "score" of a production, sound designers are akin to composers, and it is no surprise that the two often work closely together. Arditi, for instance, is collaborating with Stephen Warbeck on the Royal Court's next new production, Sam Shepard's *Simpatico*, turning his attention to film-style underscoring "when Shepard raises the emotional pitch".

Music is also to the forefront of the RSC's production of *Twelfth Night*,

about to transfer from Stratford to London. "The challenge there is to take a small ensemble of ten players and integrate their live sound with sampled strings, so that it sounds like lush orchestral music," Slocombe says.

The benefits of collaboration are evident in *Women of Troy*, where Myers worked alongside the composer Adrian Johnston. The result subtly combines the voices of the cast, instruments played live by musicians and recorded sound effects. In places you cannot tell which is which, as the shimmer of the sea, becomes a crescendo, or as the wailing of a cry sounds like a violin note.

The whole is advanced in performance by the sound operator, whose desk is in the auditorium rather than closed off behind glass. The fact that Myers has 20 "speaker zones" around the stage and in the auditorium allows him to place the audience "entirely within an acoustic".

Do these developments mean that theatre is now in thrall to gizmos worked by electro-boffins? "At the end of the day it's the ideas that hold the thing together, no matter what the technology is," Johnston says. Myers agrees. "Many times," he says, "you have to know when to provide silence."

## THE TIMES

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WHEN Simple Minds released their thirteenth album at the end of January, leader Jim Kerr said that their desire had been to make it sound like more than simply "the next record" by the band. The bad news, then, about *Grand Tour* from the *Next World* is that they have picked up few new clients: the album seems to appeal to precisely the same fans as 1991's *Real Life*. This rock'n'roll partnership, est. Glasgow 1978, still shows acceptable annual profits, but not too much growth year-on-year.

With career sales reported to be in the realm of 18 million "units", one might be tempted to look no further than the balance sheet, but Kerr and Charlie Burchill, who now run Minds as joint MDs with a team of highly skilled hired hands, still write and play with unforced fervour, suggesting that this music is more their passion and less their pension plan.

But as the band opened the first of two London shows at

POP: Far from the cutting edge

## Too much pomp

Simple Minds  
London Arena



Jim Kerr: now runs the business as a joint MD

the end of a six-date tour of the UK and Ireland with 1995's *She's a River* and 1984's *Up On the Catwalk*, the juxtaposition showed that their chief advancement in that time has been the acquisition of a stadium sheen that non-believers simply see as pomp. It may be partly an image problem, but the distance between Simple Minds and the cutting-edge bands of the day such as Oasis is now almost as great as the chasms that opened in 1977 between, say, the Clash and Genesis.

The five-strong Minds' modest entrance and stage set, spartan by the standards of arena acts, fuelled the notion

that, for hipper or richer, the music remains the focus. During that first salvo from the current album, where Kerr asked: "Everything OK?" for the first time, it sounded like a

fresh alternative to the "How you doing London?" cliché. Unfortunately, it proved to be one of two repetitive conversational gambits, and by evening's end his scorecard read: "Everything OK?" 6, "Let me see those hands" 8.

But Minds fans — the most normal bunch of rock supporters you'll see in many a road mile — had not come to chat. They came to roar along with the chorus of *Love Song* and *Waterfront*, to appreciate Burchill's wailing guitar on the new single *Hypnotised*, to flick their lighters to *Belfast Child*, and ultimately to bash the wooden flooring of the arena close to splintering point as they stomped along to *Alive and Kicking*.

Given the especially warm reception that greeted the atypically acoustic *Belfast Child*, one would have expected the band to dig among the roots of their sound more often. A little less bombast would go a long way.

PAUL SEXTON

## THEATRE IN AUSTRALIA

## Campus cringers

Dead White Males  
Opera House  
Theatre, Sydney

lent and widespread belief there that Shakespeare, being dead and white and male, has no more to teach us.

To refute such literary and theatrical blasphemy, Williamson then brings Will himself back to earth in the sanguine form of Patrick Dickson, to defend his own writings and point out their eternal relevance. The play thus formed does not altogether work, either as student

comedy or moral tract, veering uneasily from scholastic debate to campus sit-com, but it throws light on a current Australian academic crisis.

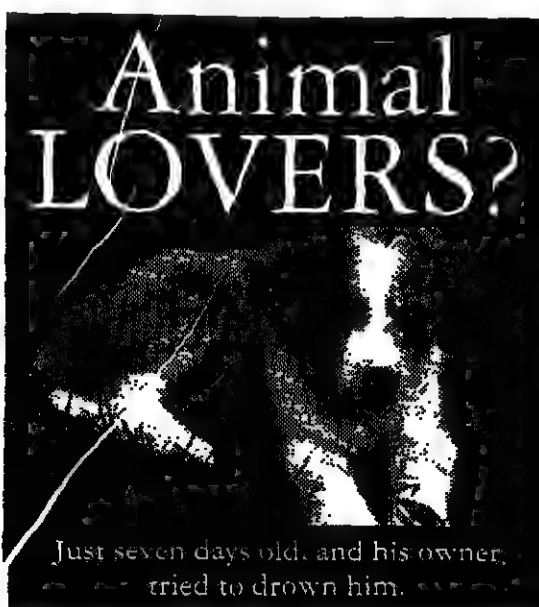
Williamson's thesis is that Australia is in danger of merely swapping the old "cultural cringe" towards all things European for an equally if not still more damaging obeisance to the worst of Californian campus new-speak, whereby any trendy theory of sexual or racial rebalancing is allowed to overtake and replace genuine scholarship or research.

"It's duck-hunting season and we men are the ducks," says the old grandfather

under investigation by his granddaughter in *Dead White Males*, and you could sense a pre-view audience at the Opera House dividing along O-leanna lines, the males literally shrinking back from their cheering female companions. *Dead White Males* too frequently taxes down these academic and social and sexual runways only to reverse back disappointingly to the safe hangar of a domestic sit-com when the air starts to get turbulent.

But Williamson is making an unfashionable "back-to-basics" stand against the teachings of non-essentialist feminist multiculturalism, mostly now taught by middle-aged white males desperate to hold onto their jobs at whatever cost to their integrity or original academic beliefs.

SHERIDAN MORLEY



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## Teams appeal against ruling

# Benetton's loss fuels debate on regulations

FROM OLIVER HOLT IN SÃO PAULO

THE winner's trophy stood forlornly on a packing case in the Benetton garage long after it should have been removed and sent on its way to the victor. As the team mechanics continued the desultory Sunday-night job of dismantling their equipment, the race stewards were deciding on a punishment for Michael Schumacher and David Coulthard in the control tower and Ferrari were preparing to commandeer the prize.

Back in his hotel a few miles from the circuit, Gerhard Berger had been told he was the new winner of the Brazilian Grand Prix in the wake of the disqualifications of Schumacher, in a Benetton-Renault, and Coulthard, in a Williams-Renault, that had thrown the new Formula One season in disarray almost before it had started.

The emergence of the mystery of Schumacher's wildly fluctuating weight yesterday merely intensified the air of gloom and despondency settling over a sport that had thought it might be about to witness a bright new dawn after the non-stop controversy and tragedy of last season. After the death of Ayrton Senna at Imola last May, the sport needed a lift in Brazil, not another kick in the teeth.

But despondency is not something that comes readily into Berger's mind and yesterday he refused to be downcast about the chaotic end to the race, in which he had initially finished third, more than a lap behind Schumacher. "I am very happy about this decision," he said. "I do not feel sorry for Schumacher or Coulthard because cheating is cheating."

"Violation of the rules on fuel is no small matter. You can get 20-30 horsepower more that way alone. All the cars are about the same level

of performance except those with Renault motors. They are in a world of their own. I do not know if that is down to fuel but..."

Max Mosley, the president of the International Motor Sport Federation (FIA), defended the move to disqualify the two drivers yesterday and said that the samples of fuel taken from them after the race had shown three significant differences from the samples submitted by the teams before the start of the season. He

**Race controversy** ..... 1  
**Irregular fuel** ..... 2

highlighted changes in the density of the fuel, which is essentially pump petrol. But after news that the Williams and Benetton teams were to lodge appeals against the decision, Mosley was considerably more charitable about the reasons for the irregularities in the fuel than Berger had been.

"In my view, it is much more likely to have been a mistake than a deliberate attempt to gain an advantage," he said. "Either somebody made a mistake with the

checks or somebody made a mistake with the fuel."

"But if a mechanic makes a mistake and sets the rear wing at 0.5 centimetres too high you have to exclude the car even though it makes little difference to performance. If you do not exclude them for running unapproved fuels then the whole system breaks down."

Many of the mechanics attached to the teams are staying in South America for the next race in Argentina in a fortnight but Formula One's executives arrived back yesterday afternoon to emerge in the maelstrom of questioning about the latest crisis to hit the sport. Coulthard heard he had been disqualified when a steward announced the news on the plane carrying him back to England from São Paulo.

Coulthard said at Heathrow Airport that he had not yet been officially told of his disqualification and wanted to wait to comment until he had spoken to the team owner, Frank Williams. He then flew north to Scotland to celebrate his 24th birthday with his family.

Schumacher was lying low in Bahia, in northern Brazil, with the dual storm raging around him, but Williams released a statement yesterday afternoon confirming their intention to appeal against Coulthard's disqualification.

"The team wishes it to be remembered that Elf has been supplying grand prix racing since 1968 without a break, far longer than any other fuel company. There are three possibilities with regard to the decision that will be considered."

"The first is that, subsequent to technical approval by the FIA an incorrect batch of fuel was sent to Brazil, second, the testing equipment used in Brazil to check the fuel malfunctioned and third, that the above equipment was incorrectly operated."

Williams said that in the event of the first reason, they would accept the disqualification without question.

### DETAILS

**BRAZILIAN GRAND PRIX** Revised results: 1, G. Berger (Austria) Ferrari, 1st 38min 44.151sec (av speed 114.984mph); 2, M. Hakkinen (Fin) McLaren-Mercedes, 68.44sec behind; 3, J. Alesi (Fr) Ferrari, 50.57sec behind; 4, M. Bundo (GB) McLaren-Mercedes, 1min 0.308sec behind; 5, M. Salo (Fin) Tyrrell-Yamaha, 1 lap behind; 6, A. Sioddi (Japan) Ligier-Mugen Honda, 1 lap behind; 7, A. Montermini (It) Pacific-Lexus-Ford, 5 laps behind; 8, P. Dine (Br) Forti-Ford, 6 laps behind.

M. Schumacher (Ger, Benetton-Renault) and D. Coulthard (GB, Williams-Renault) finished first and second but were disqualified for contravening fuel regulations.

**CHAMPIONSHIP POSITIONS:** Drivers: 1, Berger 10pts; 2, Hakkinen 6; 3, Alesi 4; 4, Bundo 3; 5, Salo 2; 6, Sioddi 1. Constructors: 1, Ferrari 14pts; 2, McLaren 9; 3, Tyrrell 2; 4, Ligier 1.



Coulthard, above, with his girlfriend, Andrea Murray, arrives at Heathrow yesterday having heard of his disqualification on the flight from Brazil; and Berger, below, celebrates belatedly with the Ferrari team in São Paulo



## Rise to top marked by lengthy catalogue of incident

FROM OLIVER HOLT

THE controversies that have assailed the Benetton team in the past two days surrounding the disqualification of Michael Schumacher after the Brazilian Grand Prix and the German driver's unexplained weight changes are just the latest high-profile furores to affect the team in an unprecedentedly traumatic 12 months.

The controversy has been accompanied by outstanding success, with Schumacher winning the world championship last year by a single point from Damon Hill and the team finishing as runners-up to Williams in the constructors' championship after a relatively short time in the sport.

The success has come at a price. Some have suggested that the penalties and allegations visited upon them have been a result of their quick rise to success and the jealousy of the more established and more powerful players in Formula One who resent their brash and iconoclastic approach to the sport.

Whatever the reasons, the team has been a magnet to headlines. After a dream start to last season when Schumacher won the first four races, things started to go wrong at Silverstone when he ignored a black flag waved at him for overtaking Hill on the formation lap.

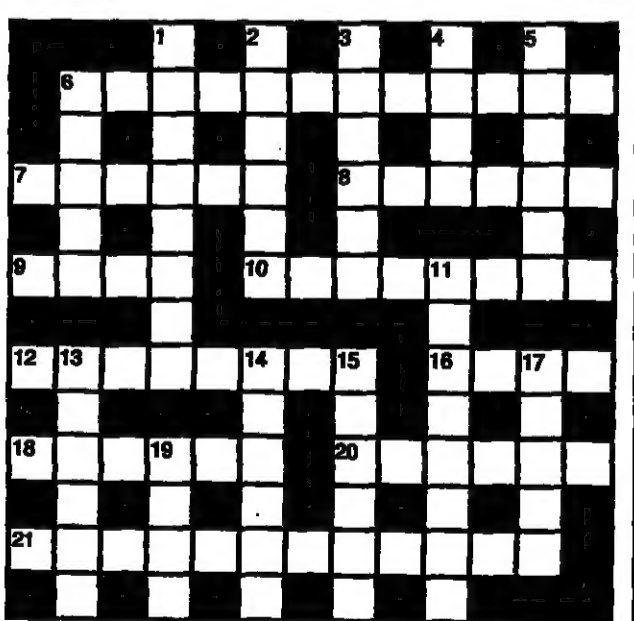
The team was later fined \$333,333 for the indiscretion and Schumacher was docked the six points he gained for his second place in the race.

By then allegations that the team had electronic devices fitted to the car had already surfaced — which were later dismissed. At the German Grand Prix in July, one of their cars, driven by Jos Verstappen, was engulfed by flames in a fuel fire. That was later blamed on a junior member.

Schumacher was disqualified from the Belgian Grand Prix at Spa in August after the plank on the underside of his car was found to be too shallow and was banned for two more races as a result of his indiscretion at Silverstone.

The season ended with the final note of controversy when he crashed with his title rival Hill in the Australian Grand Prix on the street circuit at Adelaide.

## TIMES TWO CROSSWORD



No 431

- ACROSS**
- Care absolutely nothing (3,4,1,4)
  - Separate (grain from chaff) (6)
  - Beginning (6)
  - Animal: carry (4)
  - Aggressive businessman (2-6)
  - Car repair works (4,4)
  - Open: reverse (4)
  - Jewelled circlet (6)
  - City dormitory area (6)
  - Whirligig (5-2-5)
- DOWN**
- Flatfish, poisonous spined tail (8)
  - Important person (6)
  - Have a place; be part (6)
  - Note, memo; young girl (4)
  - Cartoon sailor (6)
  - Unwanted sound (5)
  - Signal of approval (6,2)
  - Dickens boy, wanted more (6)
  - Offer of respect, allegiance (6)
  - Dough for tarts etc (6)
  - Took a risk (5)
  - Sombre (4)

### SOLUTION TO NO 430

- ACROSS:** 1 Go for broke 7 Emerald 8 Polis 10 Stephen 11 Anjou 12 Aghast 15 Player 17 Zebra 18 Endowed 21 Rated 22 Dead Sea 23 Sell-by date
- DOWN:** 1 Glebe 2 Flash 3 Rodent 4 Raphael 5 Killjoy 6 Belshazzar 9 Square deal 13 Habitué 14 Scandal 16 Heyday 19 Drama 20 Waste

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## England decide Back fits into World Cup picture

BY DAVID HANDS  
RUGBY CORRESPONDENT

ENGLISH rugby union's great back-row debate took another twist yesterday when Neil Back — in many ways the most contentious figure in the domestic game, though for the best reasons — was selected in the World Cup squad of 26. The Leicester flanker will go to South Africa in May alongside Richard West, the Gloucester lock, who, at the start of this season, was a rank outsider for the tournament.

The composition of the England squad is based on the players who have been together since the tour to South Africa last summer. Indeed two of the nine Bath players named, Steve Ojomoh and John Mallett, are included largely for what they achieved on that tour rather than anything they have accomplished since. But Paul Hull's star continues to wane. Hull, the Bristol full back who came to prominence in South Africa, has been overlooked because of the need for a proven goalkicker.

The 21 players who contributed to the grand-slam campaign have been chosen *en bloc*, along with Back, Ian Hunter and the three uncapped players, Damien Hopley, Mallett and West. Of that trio West, 24 last week, is the substantial gamble because of his limited representative experience.

Jack Rowell, the England manager, acknowledged that the third locking position would have gone to Simon Shaw, of Bristol, but for his knee injury. Nigel Redman, whose competitive zeal served England so well during 1994, has been overlooked in the

### SQUAD

Backs: J. Callard (Bath), M. Catt (Bath), I. Hunter (Northampton), R. Underwood (Leicester/RAP), W. Carr (Gloucester), P. de Glanville (Bath), J. Guscott (Bath), D. Hopley (Worcester), R. Andrew (Worcester), K. Bracken (Bristol), D. Morris (Oxford), P. Forde (Leicester), J. Mallett (Bath), G. Rowntree (Leicester), V. Uboogu (Bath), G. Lowe (Bath), S. Moore (Hartlepool), M. Bayfield (Northampton), M. Johnson (Leicester), R. West (Gloucester), N. Back (Leicester), S. Clavin (Bath), S. Ojomoh (Bath), D. Richards (Leicester), T. Rodber (Northampton/Army), Manager/coach: J. Rowell Assistant coach: L. Gwynn.

search for cover in the middle of the lineout.

West, from Ledbury, who won the first of his under-21 caps against Holland in 1991 before joining Gloucester, won his first A cap only this month, against Natal. His impressive physical dimensions — 6ft 10in and 20st — won him the vote as deputy to the equally substantial Martin Bayfield. "It's brilliant news," West said. "I trembled when I picked up the phone."

Back's selection was the ideal pick-me-up after a bout of influenza. "At the end of last

week I was at an all-time low, I did not know whether it was worth carrying on." Back, who played for England A in Durban on March 18, said: "It hit home that I might be doing all this work and be denied a further opportunity. South Africa suited me... If you are good enough in their perfect conditions, you can control the game."

His selection is a triumph for skill and speed over brawn and should be thoroughly justified, if England fulfil their manager's expectations. "This year England have taken a major stride forward in how to play the game," Rowell said. "There are still opportunities to spread the ball wider, more systematically, and use the outside three [both wings and full back] and Jerry Guscott more regularly."

Jonathan Callard provides goalkicking support for Andrew, while Hunter, whose goalkicking is not negligible, can also play full back but is more likely to be used as a wing. He receives one of the utility berths which might have gone to Hull whose omission Rowell described as "sensitive" — as difficult a decision as that involving Redman and another of Rowell's lieutenants at Bath, John Hall.

England will meet regularly at Marlow before leaving on May 17 for a tournament in which another new national jersey will be unveiled. Despite vehement protests to the contrary, the Rugby Football Union may be perceived as cashing in on the replica-shirt market like their football counterparts, this being their third change since the departure from the familiar all-white strip in 1991.



West: rapid advance

## World Cup dismissal for card system

BY MARK SOUSTER

RED and yellow disciplinary cards introduced as an experiment for the five nations' championship this season, will almost certainly not be used at the Rugby World Cup this summer. A final decision will be taken next Monday but according to Brian Skirrow, the tournament coordinator, "it is not anticipated that they will be used."

The cards were introduced mainly to make the game more accessible for spectators and television viewers to allow a better understanding of referees' decisions. Doubts about their value were expressed by, among others, the Scottish Rugby Union (SRU), which believes them to be superfluous. Whether the football-style cards will be retained for the five nations' next season remains to be seen.

Three players were penalised this year, all for stamping. John Davies, of Wales, was given a red card playing against England, while Peter Wright, of Scotland, and Ben Clarke, of England, were each shown the yellow card.

The SRU is also keen to see a uniform interpretation of the rucking law worldwide. It feels a Scottish or southern hemisphere referee would not have punished Wright in the same circumstances.

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